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THE RELATION OF THE STATE TO RELIGIOUS EDUCATION IN MASSACHUSETTS

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PREFACE

THE renewed interest in the necessity of religious education as a basis for wholesome civic life in a democracy has raised anew the question of the proper relation of the state to such education. A cosmopolitan people of many shades of religious belief cannot practically agree on the teaching of one religious faith by the authority of the state. Nor can the state monopolize the schools and exclude all religion from them without trampling on the rights of minorities to its own detriment.

That the problem is not at present an academic one appears from the recent attempts to make unconstitutional private schools, which are mainly religious ones, in Michigan and Oregon; from the question raised in Tennessee as to the right of a state to prohibit teaching of scientific theories contrary to the religious tenets of the majority; from the court decision in *Mt. Vernon*, New York, prohibiting the teaching of religion in private religious education schools on school time for school credit; and from recurring attempts in various states to make daily Bible reading compulsory in public schools.

Massachusetts has been a state which has blazed the way as a pioneer in educational progress. Likewise it has long had a cosmopolitan population. Hence an historical study of the way in which this type state has attempted to solve the problem historically is of interest to all who are concerned in the present problem. Religion has been so intimately connected with education in this Puritan commonwealth, that it has been found necessary to examine the entire educational legislation of the state and write virtually a history of education in the state. To trace the religious content in the schools supported by the state, an interesting study of old texts and school catalogues has been made.

The determination of the extent of public support of seminaries and colleges including religious elements in their instruction has likewise necessitated a considerable investigation into the history of the seminaries of the state. Unfortunately no general history of all these institutions, which in an earlier age contributed so much to the manhood and womanhood of America, has ever been written. The controversies of the Horace Mann period were so largely religious that the newspapers of the period and unpublished letters of Mann have been used to throw light upon the real issues involved. Since the Mann period the chief problems have concerned the separation of the state from religious education of any type, due to the mutual jealousies of Protestants, Catholics, and Jews. An attempt has been made to explain the present attitude of these groups.

The purpose has been by these means to discover to what extent religious education has been promoted, controlled, or in any way influenced by the state from the original settlement of Massachusetts to the present time. Religious education is conceived in its broader aspects as any influences of a religious character which are purposely directed toward the education of the individual. Religious control of secular education does not fall within the scope of our subject except as it affects the education of a religious character.

The material on which this book is based was gathered primarily for the writing of a doctoral dissertation at Clark University, upon which a degree was granted in 1925.

The thanks of the author are particularly due to Dr. George H. Blakeslee of the Department of History and International Relations and to Dr. William H. Burnham of the Department of Education and School Hygiene of Clark University for their kindly inspiration and wise counsel; to Librarian Clarence S. Brigham and the staff of the American Antiquarian Society, Worcester, for their aid in securing most of the material on which the study has been based; to G. E. Wire, LL.B., Librarian, and Miss L. L. Kirschner, Assistant, of the Worcester

County Law Library; and to numerous individuals who have cordially answered requests for information. The Library of the Massachusetts Historical Association and the Boston Public Library have furnished important information not elsewhere available. Use has also been made of the extensive collection of educational material in the Clark University Library.

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SHERMAN M. SMITH

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THE RELATION OF THE STATE TO
RELIGIOUS EDUCATION
IN MASSACHUSETTS

RELIGIOUS EDUCATION IN MASSACHUSETTS

CHAPTER I

EUROPEAN BACKGROUNDS

THE history of education shows that religion and education have been closely related historically. Among primitive peoples the priestly and teaching functions have been combined. Christ himself was the Great Teacher and throughout the history of Christendom prior to the settlement of America education was a function of the church rather than the state. Under these circumstances it was natural that the educational curricula should have been predominantly religious. One of the purposes of the monastic schools was to train priests to read the Latin service of the church; therefore the venerable trivium and quadrivium had a distinctly religious atmosphere. Theology was a leading study and law was approached from a theological point of view, in the medieval universities. The education of parish schools had a religious content.

The separation of religious elements from public education, which is the predominant type of education in America, is in marked contrast to this medieval situation. The key to this is found in the theories of the relation of church and state developed by theologians and political scientists in nations which have been predominantly Christian.

The kingdom of which Christ preached was the kingdom of heaven, certainly not a political kingdom. He refused to summon angels to make him the Ruler of a political state; the only record of his use of force was in behalf of the temple, not a state — and without force a state cannot sur-

vive. He taught obedience to a state which was entirely pagan. For about three hundred years the Christian church was persecuted by the state, but it was also independent. By the decree of Milan, in 313 A.D., however, Christianity was placed on a par with the other religions of Rome, and there began that fatal union which permitted the Pope to be the virtual ruler of Western Europe when the state was degenerating into anarchy, but at untold cost to the spiritual influence and functions of the church. The papal expression of this theory of the relation of church and state may be found in the decree *Unam Sanctam*,¹ 1299 A.D., where it is stated that there is a spiritual and a temporal sword, the one wielded by the church and the one for the church, but both being in the power of the church.

But from that time on the theory had to give way gradually before the rising power of the nationalist states, as in the case of the quarrel between Boniface VIII and Philip IV. Likewise the theologians of the period before and during the Protestant Revolt began to advocate the separation of church and state. Marsilius of Padua in 1324 published his *Defensor Pacis*, in which he advocated popular sovereignty and the separation of church and state, with neither assuming the functions of the other. *De Dominio Divino* by Wiclif, written about 1375, proclaimed that power descended directly from God, without any papal mediation. While Luther himself did little to change the relation of church and state, subsequent leaders whose influence has been greater in Great Britain and the United States carried on these ideas of separation of functions. Calvin recognized the transcendent sovereignty of God, whose will was revealed in the Bible. While in practice his system at Geneva has been called the "Holy Reign of Terror," in it were the germs of democracy and republicanism, destined in time to establish the secular state. Robert Browne's *True and Short Declaration* in 1584 frankly advised the separation of

¹ The decree is given in full in Henderson, *Historical Documents of the Middle Ages*.

church and state for the good of both gospel and commonwealth. These ideas were continued by John Robinson in 1610, in his *Justification of Separation*. Finally, as has been said, "Puffendorf drove the theologians out of political science and founded a purely lay theory of the state."² As a consequence, the state took over the function of education and the religious content gradually disappeared.

In the Protestant states of Europe just preceding the settlement of America allegiance to the papacy had been broken in church as well as in state. The church was undoubtedly subject to the state; but there was no clear separation of functions, and education was as yet mainly a church function, with an indirect interest and some legislation by the state.

We find that in Germany Luther boldly advocated state education, but with the religious aims and content. In his *Letter to the German Nobles*³ he wrote: "I hold it to be incumbent on those in authority to command their subjects to keep their children at school." The purpose of this was to provide preachers, jurists, curates and scribes. "Above all things let the Scriptures be the chief and the most frequently used reading book, both in primary and in high schools; and the very young should be kept in the gospels." In *Dr. Martin Luther's Address to the Councilmen of all the Towns of Germany*,⁴ the author stated that it was the great and solemn duty, of immense moment to Christianity and the world, to give aid and counsel to the young, — a duty more necessary than building roads and bridges and artillery. He would have Latin, Greek, and Hebrew taught because they threw light on the Scriptures and imparted sound wisdom to rulers. All temporal government was held to be of divine origin and authority, and trained men were needed

² J. H. Crooker, *Religious Freedom in American Education* (Boston, 1903), pp. 3-14, gives a fuller account.

³ Translated in Barnard, *American Journal of Education*, IV, pp. 440-444.

⁴ Translated in Barnard, *American Journal of Education*, IV, pp. 429-440.

for the civil state as well as for their souls' salvation. The actual system of education introduced into the Protestant German states was fathered rather by Melancthon. The *Visitation Articles* drawn up for Saxony in 1528 at the request of the elector became the basis of modern state education. In addition to the creed, the Lord's prayer, and other prayers, one day was to be set aside for definite Christian instruction.⁵ As this plan affected the schools of many German cities, we find that here the state was definitely promoting religious education.

But it was more particularly from Geneva and the influences radiating through Holland, Scotland, and England that the Massachusetts settlers drew their inspiration and modeled their institutions. In Calvin's church-state system at Geneva a school was established and Calvin himself wrote a catechism for the education of youth.

Holland soon came to be dominated by Calvinistic ideas in church and state, and we find the two bodies coöperating for education with a large religious content. Successive synods of the Dutch Reformed Church provided for the establishment of parochial elementary schools, teaching in addition to the three R's the catechism, the creed, the Ten Commandments, and the Our Father. In 1618 the Synod of Dort, with a view to church and state coöperation, passed a decree to the effect that schools should be established in cities, towns, and country places. It further provided that "the Christian magistracy shall be requested that well-qualified persons be employed." These schools were to be gratuitous for the poor, only upright and pious members of the Reformed Church were to be employed, and the teachers were to explain and teach the catechism.⁶ The result was that a free public school system with a strong emphasis on religious instruction developed in Calvinistic Holland.⁷

⁵ Adrian A. Holtz, *A Study of the Moral and Religious Elements in American Secondary Education up to 1800* (Chicago, 1917), p. 13.

⁶ A. J. Hall, *Religious Education in the Public Schools of New York* (Chicago, 1914), pp. 3-4.

⁷ Holtz, pp. 16-17.

Directly through the Pilgrims who were residing in Holland when the Synod of Dort was held, and indirectly through the spreading of these ideas among the leaders of the Calvinistic Puritans of England, it is likely that the Dutch model influenced the Massachusetts system. How far it is impossible to say.

Calvinism gave to Scotland an early development of common schools, far superior to that of England. The Scotch parish was an ecclesiastical as well as civil institution, and education was placed under its administration. An act of Parliament in 1567 authorized the kirk to appoint superintendents with the duty of deciding the qualifications of teachers. This act termed instruction without religious elements "tinsell baith to thair bodyis and soulis." That the same attitude was taken locally appears from burgh records. The catechism, church attendance, and notes of the sermons handed in at school were intended to keep the lads and lassies loyal to the faith of their fathers.⁸ The interest of the Reformed Church in education was marked. Calvin's disciple, John Knox, in the *Book of Discipline* in 1560, ordained that every kirk should have a schoolmaster, or if upland the minister must give the first rudiments of education. In 1562 the Assembly urged schools in the burghs. A decree of the Privy Council in 1616 was ratified by the Parliament in 1633, to the effect that the bishops with the consent of a majority of the freeholders might provide a local cury for education, maintained by public taxation. A resolution of the General Assembly in 1638 called for the settlement in each parochin (parish) of schools for the teaching of youth, for the public reading and precenting of the Psalms, and the catechizing of the common people. Three years later the same body petitioned Parliament for the establishment of a school for reading, writing, and religion in every parish, and a grammar school in every considerable place. Subsequently Parliament authorized the presbytery to establish a compulsory school supported by

⁸ Holtz, pp. 10-13, quotes from laws and burgh records.

public taxation.⁹ Thus in Scotland the state definitely supported education for religious purposes and utilized the church of the parish for its administration.

The state in England, prior to the settlement of Massachusetts, had paid far less attention to education than had been given it by the more distinctly Calvinistic countries. Throughout the Middle Ages the church had provided the monastic schools and probably many vernacular village schools, with a large religious element. The Protestant Revolt tended to interfere with these by state action without developing a system to take their place. So far as the state interfered, it was mainly to secure conformity to the Established Church. Almost immediately after his separation from the papacy, Henry VIII in 1536 ordered "that the clergy take care that children be taught the creed, the Lord's Prayer, and the ten commandments in the mother-tongue." When the Primer of Henry VIII was published, it was put forth with this royal requirement:

"For the avoiding of the diversity of primer books . . . every schoolmaster in bringing up young beginners in learning, next after their *A. B. C.*, now by us also set forth, do teach this primer or book of ordinary prayers unto them in English."¹⁰

This statement is very significant as showing what a primer then consisted of and also that the monarch was interested in promoting precisely this religious knowledge. Edward VI took the same position in 1547, when he ordered all clergy to exhort parents and householders to teach their children and servants the subjects ordered taught in 1536.¹¹ The Elizabethan Poor Law of 1601 required that all pauper children have instruction in religion. As late as the

⁹ C. R. Fish, *The English Parish and Education at the Beginning of American Colonization*, in *School Review*, Sept. 1915, pp. 439-440. W. L. Mathieson, *Parties and Religion in Scotland, 1550-1695* (Glasgow, 1902), I, p. 206; II, pp. 162-163.

¹⁰ Holtz, pp. 9-10.

¹¹ Foster Watson, *English Grammar Schools to 1660* (Cambridge, Eng., 1908), pp. 23-29.

eighteenth century children in workhouses were usually taught to read and say the catechism.¹²

A further method of controlling teaching in behalf of the established order in religion was the requirement of 1563 that all schoolmasters and public and private teachers of children should take the oath of allegiance and secure a license from the bishop. In 1663 Laud asked to have a teacher sent to London for trial on the ground that he was a Jew and denied Christ.¹³ The religious test in the universities until 1871 prevented nonconformists from securing degrees or teaching.¹⁴

While the state confiscated the property of the Catholic schools, most of the property was absorbed by the greedy hangers-on at court and their place was slowly taken by endowed grammar schools, depending on private munificence and fees of pupils, but free in the sense that all who could pay the fee could attend. Edward VI is said to have founded twenty-one of these grammar schools for Latin and Greek.¹⁵ The statutes of these schools usually required school prayers, religious observances, and attendance at the parish church on Sundays and Holy Days. Leading textbooks were the *Colloquies* of Corderius and the *Sacred Dialogues* of Castalio. These were Calvinistic Latin books produced in Geneva and of a Biblical character. The Bible was the center of the whole course of instruction.¹⁶ These schools are extremely significant for us because they served directly as the model of the organization and content of the Latin Grammar Schools of Massachusetts. It is probable that the Free Grammar School of Boston, England, where the Rev. John Cotton had been connected since 1613, bears more than a nominal relation to the Latin Grammar School

¹² G. F. Wells, *Parish Education in Colonial Virginia* (New York, 1923), pp. 58-59.

¹³ Fish, p. 440.

¹⁴ Watson, pp. 10-23.

¹⁵ G. E. Littlefield, *Early Schools and School-Books of New England* (Boston, 1904), p. 49.

¹⁶ Watson, pp. 50-68.

established at Boston in the colony of Massachusetts Bay. Similarly Rev. Richard Mather, the grandfather of Cotton Mather, and a leader in the schools of Dorchester, was from the Winnick School, Lancashire, and from the Toxteth Park School.

An example of closer coöperation of church and state in education was found in the parish schools. The parish itself was really an ecclesiastical unit exercising also political functions. Thus the parish might establish and support a parish school, especially providing a school building or room, or permitting the use of a part of the church; it might pay tuition fees for the education of parish children in a private school; it might administer an endowed school; or it might supervise the education of apprentices and children in work-houses.¹⁷ These parish schools were paid by fees of the pupils or by some patron or an endowment, but they were free to all who complied with the conditions. In some cases poor children were supported by the parish. Public support of education in cases of poverty was thus recognized, while there was no attempt to distinguish between the functions of church and state.¹⁸ The children were usually taught reading, writing, and the catechism by the parish clerk.¹⁹

The content of this English education, which was largely imitated by the settlers of Massachusetts, was predominantly religious. Brinsley in his *Ludus Literarius* (1612) outlined a course for reading to include the following: *The Alphabet*, *The A. B. C.*, *The Primer*, *The Psalms* in metre, *The Testament*, *The School of Virtue* and *The School of Good Manners*, *The Latin Accidence*.²⁰ The conclusions of Professor Foster Watson in a paper before the Bibliographical Society of London were that in the first half of the seventeenth century reading was taught by Hornbook Alphabets, by the *A. B. C.*, by the *Primer*, that is prayers and religious exercises put forth by royal authority, by the

¹⁷ Wells, p. 17.

¹⁸ Fish, pp. 440-449.

¹⁹ Wells, p. 18.

²⁰ Watson, p. 180.

Psalms, by the *New Testament*, by *The School of Virtue and the School of Good Manners*. There were sixty-eight different catechisms offered for sale. Children were also interrogated on the sermons heard in church.²¹

It appears that this course of Brinsley persisted in England throughout the seventeenth century. When John Locke wrote *Some Thoughts Concerning Education* in 1690, he stipulated that the children should learn by heart the Lord's prayer, the creed, and the Ten Commandments. But he questioned the propriety of using the Bible as a reading book to the neglect of other books, especially when the Bible was beyond the understanding of children. But he describes current practice:

"Nothing that I know has been considered of this kind out of the ordinary road of the Hornbook, Primer, Psalter, Testament, and Bible."²²

It is therefore apparent that in all the Protestant countries which were likely to influence the Pilgrims and Puritans of Massachusetts the content of education about 1600 was predominantly religious, in accord with the Protestant idea of personal responsibility and the Scriptures as the guide in faith and conduct. The state controlled education in varying degrees, but its interest in religious education was as keen as that of the church.

²¹ Littlefield, pp. 50-51.

²² John Locke, *Some Thoughts Concerning Education* (London, 1764), p. 230.

CHAPTER II

CHURCH AND STATE IN COLONIAL MASSACHUSETTS

TO UNDERSTAND the motives which caused the state to take a lively interest in religious education in the colonial period, it is essential to understand the theories of church and state which dominated the Pilgrims and Puritans and to see how they worked out their theory in practice. It has already appeared that in the European countries from which they brought their knowledge and inspiration there was nowhere as yet a practical separation of church and state. The declaration of Robert Browne and stray theories of Anabaptists did not affect Massachusetts practice. Rather they followed the teaching of Calvin, which went no further than separate administration of the two bodies, each adjusted to the Biblical model and coterminous in membership and territory.¹

So far as the Pilgrims are concerned, the Mayflower Compact served both as a charter of government and a declaration of the religious aims of the state, as expressed in the words:

“ Having undertaken for the glory of God, and advancement of the Christian faith, and honor of our king and country, a voyage to plant the first colony in the northern parts of Virginia, do by these presents solemnly and mutually in the presence of God and one another covenant, and combine ourselves together in a civil body politic, for our better ordering and preservation, and our furtherance of the ends aforesaid. . . .”²

¹ Williston Walker, *A History of the Congregational Churches in the United States* (New York, 1894), Chapters I and II.

² *Records of the Colony of New Plymouth*, I, Intro., p. viii.

In the Bay Colony the accession of Winthrop to the Company tended to give it much more of a religious spirit than the original commercial group had. On the way over to America Winthrop wrote *A Model of Christian Charity* in which he clearly expressed the Calvin theory of government as follows:

"It is by mutual consent, through a special overruling Providence, and a more than ordinary approbation of the churches of Christ the work we have in hand, to seek out a place of cohabitation and consortship, under a due form of government, both civil and ecclesiastical."³

The source of authority has also been described, apparently by Winthrop, in these terms:

"We agreed to walk according to the rules of the gospel. And thus you have both a Christian commonwealth and the same founded upon the patent."⁴

We have then a state based upon contract, religious because formed in a democratic way by an homogeneous group who were firmly convinced that the Bible was the sole guide in political as well as religious affairs, but with two distinct governments, civil and ecclesiastical. Great care was taken to keep these functions separate. Governor Winthrop maintained in behalf of the civil power that the church should not inquire into the justice and proceedings of the court, and that it might call magistrates to account for private, not public acts. On behalf of the clergy John Cotton expounded that rulers should consult the ministers before war or other weighty business.⁵ Even Governor Winthrop agreed that the civil state must be raised out of the churches and that magistrates were limited. The church was to fashion the state and be identical with it. As Cotton expressed it, there was a sovereignty in God and a theocracy in commonwealth and in church.⁶

³ G. E. Ellis, *The Aims and Purposes of the Founders of the Massachusetts Colony*, in *Lowell Institute Lectures* (Boston, 1869), pp. 32-34.

⁴ Hutchinson's *Collection of Original Papers* (Boston, 1769), p. 85.

⁵ John Winthrop, *A Journal of the Transactions and Occurrences, 1630-1644* (Hartford, 1790), pp. 137, 145.

⁶ Ellis, pp. 50-71, gives a fuller treatment.

An Abstract of Laws, based on the Scriptures, was prepared by Cotton and commended to the General Court. While not adopted in his form, their spirit was preserved in a rearranged form which was adopted. He provided that the governor and counsellors should "preserve religion" and that the General Court should have power "to assist the governor in the maintenance of the purity and unity of religion."⁷

The views of Cotton were more fully expounded in 1663, when he wrote:

"That form of government wherein the best provision is made for the good of the Church and of the Civil State, is the best form of Government in a Christian Communion. . . . I incline rather to them who speaking of a Christian Communion make the Communion to be the genus and the state ecclesiastical and civil to be the species of it. . . . For in a Christian Communion there are these different administrations or polities or states, ecclesiastical and civil. Ecclesiastical administrations are a divine order appointed to believers for holy communion of holy things; civil administrations are an humane order appointed by God to men for civil fellowship of humane things. . . . God as the Creator and Governour of the world, is the Author of civil order and administrations; but God as in covenant with his people in Christ is the Author of Church administrations." Cotton continued that the work of the two should be kept separate, the magistrates should not excommunicate, but the two should coöperate and "not be set in opposition as contraries."⁸ With reference to laws compelling Baptists to attend public worship in the established way, he justified it on the ground that the Puritans had fled man's inventions in England, but the Baptists were only required to attend to God's institutions.⁹ This is significant

⁷ *Collections of the Mass. Hist. Soc.*, ser. I, V, pp. 173, 175.

⁸ John Cotton, *A Discourse on Civil Government in a Plantation whose Design is Religion* (Cambridge, 1663).

⁹ Quoted in *A Letter to a Gentleman in the Mass. General Assembly in Antiquarian Society Pamphlets*, 312, p. 9.

as showing the Biblical basis which was intended to underlie the civil government.

Turning from the realm of theory to the legal status, the sovereignty of course resided in the Crown, while self-government was delegated by the charter of 1628 to the Massachusetts Bay Company. In this instrument we find these words qualifying the legislative power:

" . . . whereby the inhabitants there may be so religiously, peaceably, and civilly governed, as their good life and orderly conversation may win and incite the nations of the country to the knowledge and obedience of the only true God and Savior of mankind, and the Christian faith, which, in our royal intention, and the adventurers' free profession, is the principal end of this plantation." ¹⁰

Acting upon the above principles and agreeably to the charter, the Puritans in 1631 by permitting only church members to vote made the civil and ecclesiastical governments coterminous and guaranteed to the church and clergy a predominating influence through control of church membership. On the other hand no church could exist without the consent of the magistrates, and the General Court might overrule church matters. But before decision important political matters were referred to the clergy as a sort of Supreme Court for an opinion. A fine of five shillings was the penalty for absence from public worship on fast days.¹¹ In 1631 the General Court objected to the people of Salem calling Mr. Williams " to the office of teacher " because " he had declared his opinion that the magistrate might not punish the breach of the sabbath nor any other offence that was a breach of the first table." In the same year the Governor and the Deputy Governor went to Watertown to settle a church quarrel regarding an elder who was teaching the so-called truth concerning the Roman church. They

¹⁰ *Sen. Doc.* 158, 1849.

¹¹ Thomas Hutchinson, *The History of Massachusetts, 1628-1750* (Salem, 1795), I, pp. 363-383. This early account discusses in some detail the relations of church and state and appears to be fairly accurate.

offered to act as magistrates, but the pastor preferred that they act as members of a neighboring church. Upon the request of Boston in the following year, neighboring congregations unanimously replied in the negative regarding the proposition of a person being at the same time a magistrate and a ruling elder. It was generally understood that clergy could not hold civil office. In 1644 in response to a request for an opinion, the clergy informed the General Court that in the absence of an express law covering a case, penalties could be imposed according to the rules of the Word of God.¹² In 1646 the General Court, while disclaiming "lordship of human power over the faith and consciences of men" nevertheless decreed banishment to those who denied certain doctrines.¹³ In the same year the Court showed its interest in the creed, by suggesting to the churches the holding of a synod to adopt a platform of church discipline. This body met and adopted the *Cambridge Platform*, which it recommended with the *Westminster Confession* to the General Court and churches.¹⁴ Five years later the General Court fined all who were concerned in the choice of a pastor at Malden without the consultation of the neighboring churches.¹⁵ In order to check the growing latitudinarian sentiments, the Court finally required the consent of magistrates as well as neighboring churches to the choice of a pastor.¹⁶ Thus in the establishment of their "constitution of civil and ecclesiastical order" the Court did "sincerely endeavor the promoting of piety, religion, and honesty, the professed true interest and known ends of this plantation," as the King was informed in 1665.¹⁷

¹² Winthrop, especially pp. 25, 31, 38.

¹³ Edward Buck, *Massachusetts Ecclesiastical Law* (Boston, 1865), p. 35.

¹⁴ *Collections of the Mass. Hist. Soc.*, ser. 1, VII, p. 25.

¹⁵ *Records of the Gov. and Co. of Mass. Bay* (Boston, 1854), IV, Pt. I, p. 71.

¹⁶ *Collections of the Mass. Hist. Soc.*, ser. 1, X, p. 25.

¹⁷ *Records of the Gov. and Co. of Mass. Bay*, IV, Pt. II, p. 222.

Some consideration must be given to the provisions for public support of the ministry, because the clergy, especially in the frequent catechizing, were engaged in a type of religious education; because frequently the support of churches was grouped together in legislation with schools; and because if the ministry was provided for at public expense, there would naturally be the lesser provision for religious instruction at public expense.

Before the government had reached the shores of New England, on April 8, 1628, an action of great significance was taken, prophetic of Massachusetts institutions for two hundred years. Francis H. Higgeson, Samuel Skelton, and Francis Bright promised "to do their true endeavor in their places of the ministry as well in preaching, catechizing, as also in teaching, or causing to be taught the Company's servants and their children." The Company agreed to furnish salary, grounds, and diet.¹⁸ This forecasts state support of religious education, the union of the teaching and preaching functions, and the supervisory power of the clergy over education. In the following October it was provided that the charge of ministers and churches should be borne half by the Company's joint stock and half by the planters.¹⁹ In 1630 the Court of Assistants ordered £60 collected from the several plantations for the maintenance of Mr. Wilson and Mr. Phillips, the ministers.²⁰

As various towns were established, the ministry was in some cases voluntarily supported and in others by tax. In both Plymouth and Massachusetts Bay the voluntary system seems to have prevailed at first, and for over a century the voluntary system persisted in Boston. This was taught by Mr. Cotton in a sermon as the proper

¹⁸ *Transactions and Collections of the American Antiquarian Society* (1857), III, p. 30b. This volume contains Company records from March 27 to April 30, 1628, made available after the official edition of the Records in 1854.

¹⁹ *Records of the Gov. and Co. of Mass. Bay*, I, p. 55.

²⁰ *Ibid.*, p. 82.

method.²¹ In 1641 Thomas Lechford reported that contributions were given to the deacon freely during Sabbath worship. But at Salem church members offered publicly and others were compelled to give at their homes. At some places there was a rate on all the people of the community for support of the church, while other places were appealing to the General Court to enforce the maintenance of the ministry.²² This antedated any extensive development of rival sects and it is further clear that from the beginning some towns used the power of the state to enforce the support of religion. The first paragraph of the records of Watertown provided for the choice of three persons for the ordering of civil affairs and the second was as follows:

"1634. Agreed, that the charge of the Meeting House shall be gathered by a rate justly levied upon every man proportionally unto his estate."²³

On the 7th of August, 1635, a rate of £80 was levied for the "charges of the new Meeting House."²⁴ The records for December, 1642, show a payment of ten pounds to John Knolls as pastor for one quarter, and subsequently a payment of £33, six shillings, and eight pence to George Phillips, pastor for a half year.²⁵

But as the towns failed to make satisfactory arrangements for the maintenance of religious institutions, the power of the colonial legislature was invoked to support religion. The General Court in 1637 took cognizance of the matter by ordering the towns to consider and report means of

²¹ *Contributions to the Ecclesiastical History of Essex Co.* (Boston, 1865). Cf. *Cong. Qr.*, I, 1859, pp. 158-164, where it is stated that compulsion was at first unheard of and attributes the necessity of it to the rising sects of Antinomians, Quakers, and Baptists.

²² Thomas Lechford, *Plaine dealing* (London, 1642), in *Collections of the Mass. Hist. Soc.*, ser. 3, III, p. 78.

²³ Henry Bond, *Genealogies and Early History of Watertown* (Boston, 1860), p. 995. Bond quotes much of the early records.

²⁴ *Ibid.*, p. 1066.

²⁵ *Ibid.*, p. 999.

properly providing for the ministry of the gospel, that the Court might act "according to the rule of the gospel." At the same time the town of Newbury was ordered to levy a tax on every estate for support of the ministry.²⁶ In the following year assessment and distraint was authorized for upholding ordinances in churches.²⁷ The situation evidently did not improve, for in 1654 the County Court in every shire was ordered to fix the maintenance if not otherwise provided and to collect it by distraint. While Plymouth was hardly as thoroughgoing in the treatment of dissenters, a law was passed in 1657 for a just and equal tax on those who refused to do their part. The next year Lieut. Matthew Fuller was fined 50 shillings for saying that the above was a "Divillish law."²⁸ That the law was not a dead letter in the towns of the Bay Colony appears from a record of the town of Sudbury in 1670 to the effect that Jon. Stanhope should see that the minister's rate was duly paid and to summon before a magistrate to answer for their neglect any who refused to pay.²⁹ Eventually more drastic measures were taken, for in 1683 the town voted:

"That whereas certain proprietors and inhabitants of the town have neglected to pay their proportions to the minister's rate, and added to the evil by not paying the proportion due upon the two six months' rates made since, to the dishonor of God, contempt of his worship, unrighteousness to their neighbors, . . . In his majesties' name you are therefore now required forthwith to collect by distress upon the monies, neat cattle, sheep or other beasts, corn, grain, hay, goods or other estate moveable."³⁰

The attitude of the Massachusetts Bay Colony on this general matter may be summed up in the words of the

²⁶ *Records of the Gov. and Co. of Mass. Bay*, I, p. 216.

²⁷ *Appropriations for Sectarian and Private Purposes*, in *Bulletins for the Constitutional Convention*, 1917-1918, II, pp. 15-16.

²⁸ *Cong. Qr.*, I. 1859, pp. 158-164.

²⁹ A. S. Hudson, *History of Sudbury* (Sudbury, 1889), p. 146.

³⁰ *Ibid.*, p. 146.

General Court in 1679 in appointing a committee to report what was most necessary for "the advancement of learning and the college, and due encouragement to the ministry, that there may be a prolonging of God's special favor to us in so weighty and necessary concerns to us and our posterity."³¹ Religion and education were equally under the patronage of the state, and all for the glory of God.

The Province Charter of 1691, though largely influenced by Dr. Increase Mather, one of the leaders of the old dispensation, nevertheless placed religion on a different basis. The King now exerted more real control, and as property rather than church membership was made the franchise qualification and toleration was established, for all except "papists," never could the old theocracy hope to control affairs as before.³² In fact Dr. Mather felt it necessary to defend his work in the election sermon, in terms which indicate that under a new form much of the old spirit was expected to remain:

"Religion is forever secured; a righteous and generous liberty of conscience established. And the General Assembly may by their acts, give a distinguishing encouragement unto that religion, which is the general profession of the inhabitants. . . . As long as their principal magistrates, and justices, favour and express piety, and abhor and punish wickedness, tis to be hoped religion will be kept in heart."³³

The suggestion was followed by the act of November 4, 1692, requiring all towns to provide orthodox ministers, to be chosen by the major part of the inhabitants of the town, and all to be assessed to pay.³⁴ Because the ravages of the wars with the French and Indians broke up the frontier churches, and sometimes accounted for the massacre or

³¹ *Records of the Gov. and Co. of Mass. Bay*, V, p. 238.

³² Susan M. Reed, *Church and State in Massachusetts, 1691-1740* (Univ. of Ill., 1914), pp. 9-18. *Charters and General Laws of the Colony and Province of Mass. Bay*, pp. 1-40, gives the Charter.

³³ Cotton Mather, *Parentator* (Boston, 1724), p. 141.

³⁴ *Acts and Resolves, Province*, I, p. 62.

capture of clergymen, besides providing for land for the clergy, between 1693 and 1725 the General Court voted almost £1600 for religious support in these frontier communities.³⁵ The General Court also assumed the function of deciding the choice of ministers when two claimed the same parish, settled disputes about pay, and was watchful to see that every town had an orthodox clergyman.³⁶

But the development of rival bodies of Baptists, Quakers, and Episcopalians gave rise to new theories of the extent to which the power of the state should be used to promote religion, and the injustice of the taxation of all for an established religion gradually caused the established church to yield. These groups were just beginning to organize about 1700. The first Episcopalian clergyman arrived in Massachusetts in 1686 and there was no other by 1700. The first Baptist church was organized in Boston in 1685. By 1700 the Quakers had a brick meeting house in Boston and there was a Huguenot Calvinist congregation. The more democratic and individualistic faith of the Friends was spreading rapidly, more particularly in Plymouth territory, which was by the new charter a part of the Province.³⁷

Because of the opposition of these groups to taxation, the legislature in 1702, on the ground that "Quakers and irreligious persons find ways to elude the laws for the support of the public worship of God," strengthened the system by providing for special assessors where the ministers were not properly supported by taxes, who should apportion the rate and give it to the constables to collect.³⁸

But the opposition of the Quakers was stubborn because it was a matter of conscience. In his tract entitled *Forcing a Maintenance* in 1713, Thomas Chalkley, their leader,

³⁵ Reed, pp. 52-71, gives fuller discussion.

³⁶ *Ibid.*, pp. 84-85.

³⁷ Reed, pp. 39-45.

³⁸ *Charters and General Laws of the Colony and Province of Massachusetts Bay*, pp. 373-374.

insisted that preachers should receive no gain for their ministry, and quoted Scripture to show that magistrates were not justified in forcing it from the people. Friends believed that God almighty would teach his people himself by his Spirit. There was no warrant in Scripture for distraining to collect for the support of a public worship which Friends considered an erroneous bondage. The modern idea of the separation of church and state comes forwards in the words:

"I tenderly and lovingly, as a minister of Jesus Christ, and true lover of good government, exhort and warn all magistrates to be careful to keep within their own province: for conscience is none of theirs; it is the peculiar province of Jesus Christ; the great territory of the King of Kings, and Judge of the quick and dead; and he will render unto every man a recompence."³⁹

Though the principles of the Baptists coincided largely with those of the Quakers, and the Episcopalians for practical reasons were dissatisfied with the existing system, it was the heroic devotion of the New England Quakers to their principles, and the convenient aid of prosperous London Quaker merchants who had the ear of the Walpole ministry, that brought relief. It happened that in the towns of Dartmouth and Tiverton the majority of Quakers chose assessors who refused to assess a rate for a Congregational clergyman whom the government persisted in settling there. The assessors were imprisoned and Thomas Richardson was sent to England to protest to the government. With the aid of an English Quaker, Partridge, he presented a petition to the Privy Council.⁴⁰ The result was that by order of the Privy Council June 2, 1724, the assessors were released from jail, the back taxes remitted, and thereafter

³⁹ Thomas Chalkley, *Forcing a Maintenance* (1713), bound in *A Collection of the Works of Thomas Chalkley* (Phila., 1749), esp. pp. 379, 393, 395, 400.

⁴⁰ Reed, pp. 86-123, gives a scholarly treatment. See especially pp. 86, 90, 95, 117, 119, 122, 123.

in towns where Quakers were in a majority they escaped payment for the support of religion.⁴¹

The Congregational order also met opposition from the Episcopalians, but rather here because it ruffled the dignity of a church established by law in England not to be on a par practically with the other churches in Massachusetts, and to have their parishioners taxed to support other than their own churches. They had no objection to an establishment, however. In 1724 the minister of King's Chapel was Rev. Mr. Myles, with voluntary support. Rev. Mr. Harris, rated as the King's Chaplain, was the afternoon preacher, with £100 from the Crown. The rector of Christ Church was Rev. Dr. Cutler. There were also churches at Newbury and Marblehead, with voluntary support.⁴² Jealous lest the authorization of a synod by the government should appear to make the Congregational order the established religion of the Province, the Episcopalians in 1725 petitioned the Governor and General Court against the holding of the prospective synod, on the ground that it would be disrespectful not to consult the Episcopalians, and undutiful to King George to call it before his pleasure was known.⁴³ Taking advantage of a postponement of the matter for a year, they secured through the Lord Bishop of London and the Duke of Newcastle a pronouncement of the Lords Justices that there was no established religion and no warrant for the holding of a synod in Massachusetts, especially without authorization by the King, and Governor Dummer was instructed not to permit it to meet.⁴⁴ This is important as a statement of the status of religion under the Charter of 1691.

The old Puritan theocrats made the best of the situation and in 1726 Cotton Mather wrote that in populous places

⁴¹ *Letter-Book of Samuel Sewell*, II, p. 171, in *Collections of Mass. Hist. Soc.*, ser. 6, II.

⁴² Henry W. Foote, *Annals of King's Chapel*, 2v. (Boston, 1882), I, p. 337.

⁴³ *Letter-Book of Samuel Sewell*, II, pp. 184-186.

⁴⁴ Foote, I, pp. 343, 344.

there were voluntary contributions for clerical support, and in other places there was a tax by the King's laws for the King's ministers. Where a majority of a plantation were Episcopalian, they had their minister and the Dissenters must help pay. A governor by arbitrary power should not prevent the King having his dues for his ministers, but there were some generous condescensions. Where there were Quakers, the minister's rate was lumped in all the taxes, and they paid it.⁴⁵ But he hoped the spirit of the old institutions would remain:

"The Church-State of New England, even in these exhibitions of it, is, by reason of strength, now come to more than four score years; but the strength holds; it is to be hoped that it will not be soon cut off; or indeed ever fly away."⁴⁶

But times had changed and due to pressure in the Province and the fear of interference from England, the legislature was hereafter constantly passing acts for exemption from ministerial support during the rest of the colonial period. To forestall action by the Privy Council similar to that in the case of the Quakers, since an Episcopalian had been imprisoned in Bristol and the Board of Trade had been appealed to, on December 19, 1727, the Episcopalians were exempted partially by a temporary law for five years. Where an Anglican resided within five miles of a town, parish, precinct, or society church, having a person in orders according to the rules of the Church of England, and he usually attended the public worship there, the town treasurer was required to pay the Anglican's taxes over to the Episcopal minister, and he was excused from taxes for the building of meeting-houses.⁴⁷ It is noteworthy that the support of some religion was still made compulsory, so that the principle was not changed. A similar five-year exemption was secured by the Quakers and Baptists in the fol-

⁴⁵ Cotton Mather, *Ratio Disciplinae* (Boston, 1726), pp. 20-22.

⁴⁶ *Ibid.*, Intro., pp. 8, 10.

⁴⁷ *Acts and Resolves, Province*, II, p. 459.

lowing spring, but their scruples of conscience against the use of the temporal power in spiritual matters brought a change in the form of the law. It provided that Quakers or Baptists should be appointed to bring in under oath lists of such conscientious objectors, and if they were enrolled in societies within five miles and usually attended, their polls should not be taxed nor should there be body executions of taxes on their estates.⁴⁸ The Quakers in 1731⁴⁹ and the Baptists in 1734⁵⁰ secured new laws exempting them from taxes on their polls or real or personal estates for the support of ministers or meeting-houses, for five-year periods. The exemption for Episcopalians was renewed on the same terms in 1735, except that there was no mention of the five-mile limit.⁵¹

For one hundred years after this there was little change in the principles involved regarding state support of religion, but the Baptists became increasingly stronger and the opponents of state support, while the Quakers had passed the zenith of their influence. The halting exemptions which had been granted were dictated by policy rather than principle, as shown by a recommendation of the Governor in 1747 for better support of the ministry because of the depreciated currency, which led the Court to recommend to several congregations that they make an honorable provision for the ministry. The words of the Governor follow:

"I esteem it the indispensable duty of the legislature to do everything in their power for the support and advancement of the Christian religion."⁵²

⁴⁸ *Ibid.*, pp. 494-496.

⁵⁰ *Ibid.*, p. 714.

⁴⁹ *Ibid.*, p. 619.

⁵¹ *Ibid.*, p. 782.

⁵² *Acts and Resolves, Province, III*, p. 561. Daniel Neal in II, p. 254 of his *History of New-England* (London, 1747), is from the modern point of view grossly inaccurate in rejoicing in religion and the state being on a separate basis. He says that the magistrate did not meddle in matters of religion any more than was necessary for the preservation of the public peace. True, the administrations were separate, but the temporal did not hesitate to promote the spiritual.

Meantime the exemptions of Quakers and Baptists were successively renewed, in 1757 for three years,⁵³ and then for ten years.⁵⁴ In 1770 the renewal specified Quakers and Antipedobaptists, and allowed towns to exempt without the submission of lists of members if they so voted.⁵⁵

But the power of the sword was still available to religion, for as late as about 1760 three leading Dutch Lutheran citizens of Great Barrington, without a church of their own faith, spent the day in the stocks, rather than attend the services once in three months as required by law, when only Congregational services were available to them.⁵⁶

Thus throughout the colonial period there was never a time when Massachusetts did not apply the principle that it was a function of the state to promote religion and when the majority did not believe that taxation for religious purposes was justified. Whatever concessions were made were partly due to interference from England and partly to the importunity of those who held a different theory of church and state, or, in the case of the Episcopalians, who did not object to the theory, but did object to its application in favor of Dissenters and to their disadvantage.

⁵³ *Charters and General Laws of the Colony and Province of Massachusetts Bay*, pp. 782-784.

⁵⁴ *Acts and Resolves, Province*, IV, p. 420.

⁵⁵ *Ibid.*, V, pp. 111-113.

⁵⁶ *The Berkshire Book*, I (Pittsfield, 1892), pp. 186-192.

CHAPTER III

COLONIAL RELIGIOUS EDUCATION

PREVIOUS to the Charter of 1691, the educational systems of Plymouth and Massachusetts Bay were separate. The records of Plymouth during this period show scanty attention to education, but there is enough to show that the vital principle was the same in each. Schools were not at first compulsory, the Court in 1658 and 1663 contenting itself with proposing to the consideration of the townships the appointment of a schoolmaster in every town to train the children up to reading and writing.¹ It is doubtful whether this injunction was heeded at once, but in 1672 the town records of Plymouth received this entry:

"That their children be instructed in reading when they are entered the Bible, and also that they be taught to write and cipher, besides that which the country expects from the said school."²

Apparently it was for the benefit of this school that in the following year the Court provided that the charge of the free school should be defrayed out of the profits arising by the fishing at the cape, and in the following year provided for its continuance if there were eight or ten scholars.³ In 1677 there was a provision for towns to pay part of the salary of grammar school teachers.⁴

From the above it appears that education was neglected, but that public money was used for a school in which the Bible was used as a reading book. It would at that period have been practically impossible to have reading taught

¹ *Records of the Colony of New Plymouth*, XI, pp. 142, 211.

² *Collections of the Mass. Hist. Soc.*, ser. 2, IV, p. 86.

³ *Records of the Colony of New Plymouth*, XI, pp. 233, 237.

⁴ *Ibid.*, pp. 246, 247.

without reading the Bible or a book of biblical content. Hence it is fair to conclude that the people of Plymouth were not opposed to state support of religious education when they authorized towns to pay part of the salary of grammar school teachers.

The above principle was repeatedly declared in the Massachusetts Bay Colony. We have already seen that when the Company in England contracted with ministers to come over, it was stipulated that part of their duty was to catechize and teach.⁵ In the Company's first letter of instructions to Governor Endicott and his Council, it was stated that the propagation of the gospel was the main end of the plantation, and it was urged that there be a plentiful provision of godly ministers. On Saturdays work was to stop at three, in order that the rest of the day might be spent in catechizing and preparation for the Sabbath. The ministry were to exercise their ministry and teaching according to God's word.⁶ So it was during these first years that the ministers were chiefly relied upon for carrying on education, and we may be sure it was of a religious character. The reason for this was that justification by faith involved the necessity of being able to read and interpret the Scriptures which taught this gospel. Even then it had come to be regarded as necessary by this time to have a catechism to give the interpretation ready made, and knowledge of this was regarded as necessary in preparation for the life to come. So it has been said of the Puritan: "His whole system of training is directed to a religious object."⁷

Local provisions for education antedated those by the General Court after the transference of the government to New England. In fact most of the training in the first years was undoubtedly given in the homes. The first action

⁵ *Supra*, p. 18

⁶ *Records of the Gov. and Co. of Mass. Bay*, I, pp. 386, 387, 395.

⁷ Noah Porter, *Educational System of the Puritans and Jesuits Compared* (New York, 1851), p. 48.

taken by the General Court was typically religious, for on June 2, 1641, they gave instructions to the elders to make out "a catechism for the instruction of youth in the grounds of religion."⁸ In the following year all masters of families were required to catechize their children and servants in the grounds and principles of religion once a week. They were to learn some short orthodox catechism, and be ready for examination by the selectmen.⁹ The act of June 14, 1642, ordered the officers to investigate concerning the "calling and employment of their children, especially of their ability to read and understand the principles of religion and the capital laws of the country." Fines were authorized for the enforcement of the law.¹⁰ This followed the principles of the Elizabethan Poor Law and had in mind the industrial and moral as well as religious training of children. It did not compel schools or school attendance, but implied that the training could be given in the home. But it did make religious education compulsory for all.

Compulsory schools but not compulsory school attendance was required by the famous law of November 11, 1647, the fundamental school law of Massachusetts. It required a teacher in every town of fifty householders and a grammar school in every town of one hundred householders. But it must be noted that while schools were compulsory, they did not necessarily have to be publicly supported, nor offer free tuition to all. Thus schools resembling the parish and grammar schools of England would be sufficient to satisfy the law; but they must exist, a fact not true in England. The spirit was rather that of the writings of Luther, and the practice of Holland and Scotland. But nowhere was there as yet so comprehensive a law, requiring that all children who came must be taught to read and write. The religious purpose is fully expressed in the preamble:

⁸ *Records of the Gov. and Co. of Mass. Bay*, II, p. 6.

⁹ *Charters and General Laws of the Colony and Province of Mass. Bay*, p. 74.

¹⁰ *Records of the Gov. and Co. of Mass. Bay*, II, p. 6.

"It being one chief project of that old deluder, Satan, to keep men from the knowledge of the Scriptures, as in former times, by keeping them in an unknown tongue, so in these latter times, by persuading from the use of tongues, that so at last the true sense and meaning of the original might be clouded by false glosses of saint-seeming deceivers, that learning may not be buried in the grave of our fathers in the church and commonwealth, the Lord assisting our endeavors. . . ." ¹¹

Further evidence that the support of religion was the prime object of the above law appears in the legislation of May 3, 1654:

"Forasmuch as it greatly concerns the welfare of this country that the youth thereof be educated, not only in good literature, but sound doctrine, this court doth therefore commend it to the serious consideration and special care of the overseers of the college, and the selectmen in the several towns, not to admit or suffer any such to be continued in the office or place of teaching . . . that have manifested themselves unsound in the faith, or scandalous in their lives, or not giving due satisfaction according to the rules in Christ." ¹²

The above would indicate that the unconscious training through the religious personality of the teacher was considered. This provision later became the basis for the so-called moral education law of 1789, which has been carried over unchanged to the present. In addition to the orthodox character of teachers, the Court interested itself in the books from which people might give themselves a religious education, for by the law of October 14, 1656, we find this added to the law prohibiting the immigration of Quakers:

"If any person shall knowingly import into any harbor of this jurisdiction any Quaker bookes, or writings concerning their devilish opinions, shall pay for every such

¹¹ *Records of the Gov. and Co. of Mass. Bay*, II, p. 203.

¹² *Records of the Gov. and Co. of Mass. Bay*, III, p. 333.

book or writings, being legally proved against him or them, the sum of 5*£*." ¹³

The law of 1654 appears not to have been very effective, for it was reenacted in 1671.¹⁴ At the same time a law was passed requiring the selectmen to return to court all children and youth not living in families, and the constables to serve warrants for the purpose. This was done because it was stated that violations of the law of 1642 requiring them to be under family government, learn the capital laws, the catechism, and some honest employment, was causing much profaneness and dishonor of God.¹⁵

Another sidelight upon the way in which the state regarded the education of the home appears from the fact that in both Plymouth and the Bay Colony a child between 16 and 21, charged with a certain capital offence against one of his parents, could satisfy the law by successfully pleading that his parents "had been very unchristianly negligent in his education." ¹⁶

The official attitude in the Bay Colony toward education was well expressed by Mr. Oakes in the *Election Sermon* to the General Court in 1673, in these words:

"Think not that the commonwealth of learning may languish, and yet our civil and ecclesiastical state be maintained in good plight and condition." ¹⁷

After the Charter of 1691 legislation applied to Massachusetts Bay, New Plymouth, Maine, and Nova Scotia.¹⁸ The new conditions led to the passage of the law of November 4, 1692, regarding ministerial support, which has already been discussed; and typical of the close relation between religion and education, the same act provided for a school-

¹³ *Ibid.*, III, pp. 415, 416.

¹⁴ *Charters and General Laws of the Colony and Province of Mass. Bay*, p. 186.

¹⁵ *Ibid.*, p. 196.

¹⁶ Horace Mann, *Lectures on Education* (Boston, 1848), p. 18.

¹⁷ *Collections of the Mass. Hist. Soc.*, ser. 1, VII, p. 21.

¹⁸ *Charters and General Laws of the Colony and Province of Mass. Bay*, pp. 1-40, gives the Charter.

master to teach reading and writing in every town of fifty householders, and for a grammar school if there were one hundred families, under penalty of £10 for neglect.¹⁹ But the hardship of frontier life and struggles with the Indians lessened the early zeal for education, and in ten years the penalty was increased because the failure of the old law was "tending greatly to the nourishment of ignorance and irreligion." Apparently to guarantee orthodoxy, or possibly because the ministers were the only inhabitants in many districts capable of examining prospective teachers, it was further provided that every grammar schoolmaster was "to be approved by the minister of the town and the ministers of the two next adjacent towns, or any two of them, by certificate under their hands." No minister was to be deemed a schoolmaster under the law, certainly not because of fear of mixing religion and education, but quite probably to prevent towns from evading their legal obligations. Grand juries were to present towns for failure to obey the law.²⁰

The licensing provision was strengthened in a law of March 19, 1711, "forasmuch as the well educating and instructing of children and youth in families and schools are a necessary means to propagate religion and good manners." It stipulated that only those of sober and good conversation might teach, and they must have the approval of the selectmen of the town for teaching, under penalty of forty shillings for keeping school without a license. The previous provisions were continued for the licensing of grammar-school masters.²¹ Thus we have compulsory education in religion, though not necessarily compulsory attendance at school; compulsory schools in every town, though not necessarily supported by taxation; and the safeguarding of orthodoxy by the licensing of public and private teachers. This comes

¹⁹ *Acts and Resolves, Province, I*, pp. 62-63.

²⁰ *Charters and General Laws of the Colony and Province of Mass. Bay*, pp. 371, 372.

²¹ *Acts and Resolves, Province*, pp. 681, 682.

perilously near forcing children into the religious faith of the majority, although a Quaker or Baptist parent might comply with the law by teaching his children his own faith in his own home.

To establish education and religion in new towns, as settlements expanded westward, it became customary in the creation of new towns to require that lots be first reserved for the benefit of the minister and schoolmaster, and that a church and school be built. Examples are Rutland in 1720, the south part of Dedham in 1724, and Penycook in 1725.²²

A special act for Boston in 1735 empowered overseers of the poor to bind out into good families, "for a decent and Christian education," children who did not know the alphabet at six.²³ This was merely reapplying the principles of the Elizabethan Poor Law. A change in the general attitude toward the aim of education begins to appear in 1768, when precincts as well as towns or districts were authorized to tax for school buildings and schoolmasters. The familiar preamble had now been expanded to read, "Whereas, the encouragement of learning tends to the promotion of religion and good morals, and the establishment of liberty, civil and religious. . . ." ²⁴

It is difficult to say just how far these colonial laws accomplished their purposes. We know that education in the second and third generations in the frontier communities was not kept up to the original standards, particularly in regard to grammar schools. But it is probable that the religious aspects were guarded by the clergy and held their own as well as any. The following account of conditions in 1747, by Neal, may be taken as an optimistic one:

²² *Acts and Resolves, Province, X*, pp. 35, 512, 739. Council proceedings in similar cases, *Ibid.*, XI, pp. 325, 355, 416, 656, 685.

²³ *Ibid.*, pp. 757, 758. Cf. the Virginia Law of 1727 (*Henning*, IV, p. 212), providing that where parents did not give due care to the education of their children in Christian principles, the church wardens might bind them out the same as orphan children.

²⁴ *Ibid.*, IV, p. 988.

"There are no idle vagabonds, nor so much as a beggar in the whole country, which is owing in part to the religious care of the New-English planters in the education of their youth, for every town of fifty families is obliged by law to maintain a school of writing and reading; and every town of an hundred families a grammar-school; so that there is hardly a child of nine or ten years old throughout the whole country, but can read and write, and say his catechism." ²⁵

The thoroughness of the education and particularly the religious elements of course depended mainly on the local provisions. To these we shall now turn. To determine how far the state promoted religious education, it will be necessary to determine how far the schools were maintained by public taxation, how far the education was provided free of tuition, and the extent of religious content as appears from town records, school contracts, and textbooks commonly in use. We shall consider first the financial questions.

Boston started its public education in 1635, as appears from the following town record:

"Likewise it was then generally agreed upon, that our brother Philemon Pormont, shall be intreated to become scholemaster, for the teaching and nourtering of children with us." ²⁶

Pormont started the school and in 1637 a grant of thirty acres of land to him at Muddy river was confirmed.²⁷ In 1641 Deare-Island was ordered improved for the maintenance of a free school for the town, and other purposes if the school were first sufficiently provided for.²⁸

This partial support of the school was supplemented after a committee and the selectman in 1682 had been authorized to consider and provide one or more free schools to teach

²⁵ Daniel Neal, *The History of New England*, 2v. (London, 1747), II, p. 251.

²⁶ *Reports of the Record Commissioners of Boston*, II, p. 5.

²⁷ *Ibid.*, p. 25.

²⁸ *Ibid.* p. 65.

children to write and cipher.²⁹ These were termed writing schools to distinguish from the original grammar school. Upon the report of the committee in the following year, £25 annually was allowed for each of two such schools, with the proviso that those sending children and able should also pay something to the master.³⁰ In 1703 it was ordered that a vote be prepared to empower the overseers to pay to teach the children of extremely poor parents to read.³¹

A strong claim is made by Dorchester to having been the first place in the world to provide for a free school, that is admitting all who paid the tuition charged, by means of a direct tax. It was decided on May 20, 1639, that there should be a rent of £20 yearly forever imposed upon Tomson's Island to be paid by every person that had property in the island toward the maintenance of a school in Dorchester to teach English, Latin, and other tongues, and also writing.³²

The Roxbury Grammar School affords a good example of the imitation of the endowed schools of England, except that because of the absence of wealthy patrons practically the whole community had to join in giving a tax on land for a school, the privileges of which were reserved to the heirs of the donors. The preamble of the document discloses the purpose:

"Whereas, the inhabitants of Roxburie, in consideration of their religious care of posterity, have taken into consideration how necessary the education of their children in literature will be to fit them for public service, both in church and commonwealth, in succeeding ages. . . ." ³³

While this was not strictly a public school in the American sense, the General Court granted a petition to validate

²⁹ *Ibid.*, VII, p. 158.

³⁰ *Ibid.*, p. 161.

³¹ *Ibid.*, XI, p. 33.

³² W. D. Orcutt, *Good Old Dorchester, 1630-1893* (Cambridge, 1893), p. 290.

³³ C. K. Dillaway, *A History of the Grammar School in Roxburie* (Roxbury, 1860), p. 7.

the contract in 1669; the school then had somewhat the relation of a private school chartered by the state, and the fact that it educated youth for the church was one of the reasons alleged in the petition why the Court should validate it.³⁴ The contract the previous year with John Prudden to teach read:

" . . . to use his best skill and endeavor, both by precept and example, to instruct in all scholastical, moral, and theological discipline the children of those persons whose names are here underwritten, All A.B.C.-darians excepted."³⁵

As early as June 3, 1636, Charlestown agreed with Mr. William Witherell to pay him £40 to teach school for a twelvemonth.³⁶ It is probable that this was supplemented by fees by pupils, for in 1671 Benjamin Thompson was engaged by the selectmen to teach to read, write, and cipher, to be paid partly by the town and partly by scholars.³⁷ An example of the application of the law requiring the licensing of private schoolmasters occurred in Charlestown in 1749, when the selectmen "approbated and allowed" Mr. Matthew Cushing to keep a private school, as he had been recommended as a person of sober and good conversation.³⁸

Public support was early a feature in Salem. In 1644 it was provided that the town would pay for the education of poor children.³⁹ Partial support for the grammar school appears from the contract with D. Eppes, Jr., to teach all scholars sent to him from persons in town in English, Latin, and Greek, to fit for the University if they were willing and capable, and also to instruct them in good manners and the Christian religion. The scholars were to pay twenty shil-

³⁴ *Ibid.*, pp. 8, 15.

³⁵ *Ibid.*, p. 30.

³⁶ Richard Frothingham, Jr., *The History of Charlestown* (Boston, 1845), p. 65.

³⁷ *Ibid.*, p. 177.

³⁸ Frothingham, p. 261.

³⁹ J. B. Felt, *Annals of Salem* (Salem, 1827), p. 165.

lings a year and the selectmen were to make up the rest.⁴⁰ In 1734 it was voted to keep three schools,⁴¹ and in 1737 the amount paid for public schools was £250.⁴²

The system in Ipswich resembled that in the English parish, there being an endowment to which the town contributed and the town having partial control. In 1651 the town gave land for a grammar school,⁴³ and in 1714 contributed £25 to the school fund to have a free school, each scholar paying twenty shillings and the town making up the rest, according to subsequent legislation.⁴⁴ Subsequently William Burley, Esq., left by will \$50 annually for ten years to the town, to pay for instruction of poor children in reading and the principles of the Christian religion.⁴⁵ The feoffees of the Ipswich Grammar School were incorporated in 1755, including three selectmen and the representatives of the donors. Tuition was to be charged if the income from grants was insufficient.⁴⁶

At a town meeting in Dedham in January, 1642, fifty-one persons present unanimously voted to set apart land for a free school.⁴⁷ In 1649 there was general taxation for its support.⁴⁸ About 1680 the Latin Grammar School was established, provided for by taxation and to be administered by the elders of the church and the selectmen of the town.⁴⁹

Watertown in 1649 levied a rate for building a school-house and in the following year Mr. Norcross was hired to teach at a salary of £30. In 1667 the school was made free

⁴⁰ *Ibid.*, Appendix, p. 541, where the town records are given.

⁴¹ *Ibid.*, p. 403.

⁴² *Ibid.*, p. 413.

⁴³ J. B. Felt, *History of Ipswich, Essex, and Hamilton* (Cambridge, 1834), p. 83.

⁴⁴ *Ibid.*, p. 85.

⁴⁵ *Ibid.*, p. 89.

⁴⁶ *Acts and Resolves, Province, III*, p. 892.

⁴⁷ Carlos Slafter, *The Schools and Teachers of Dedham*, in *Dedham Historical Register*, I, p. 86.

⁴⁸ Clifton Johnson, *Old Time Schools and School Books* (New York, 1904), p. 6.

⁴⁹ Slafter, p. 128.

of tuition to the inhabitants, while others had to pay.⁵⁰ Mr. Norcross evidently grew grey in the service, for in 1693 we find the selectmen making an agreement with Mr. Norcross to teach school and to catechize scholars and all other persons sent to him.⁵¹ One wonders which classification was the larger.

The first record of a schoolmaster in Springfield is 1677, when Wm. Madison received, in addition to tuition from parents, the rent of the town land in Chickupy.⁵²

Plymouth was tardy in public support of education, but after 1705 money received from unappropriated common lands was devoted to an inalienable school fund. In 1706 the town purchased the subscription schoolhouse.⁵³

Some references have already been made to the Latin Grammar Schools. The earliest schools were Boston, 1635; Charlestown, 1636; Salem, 1637; Dorchester, 1639; Cambridge, 1640 or 1643; Roxbury, 1645; Braintree, 1645 or 1646. Thirty had been started by 1700 and at least 28 were started after that.⁵⁴ The support of these was partially taxation, partially endowments, partially legislative land grants, and partially tuition. Examples of land grants were one thousand acres to the Dorchester school in 1659, surveyed and confirmed in 1717;⁵⁵ five hundred acres to the Roxbury school in 1660, confirmed and laid out in 1715, when the school petitioned, alleging that "said free school is one of the most ancient and famous schools in this province, where by the favor of God more persons have had their education, who have been, and now are, worthy ministers of the everlasting gospel, than in any, we may say, than in many towns of the bigness, in this province;"⁵⁶ one thou-

⁵⁰ Bond, pp. 1069, 1073.

⁵¹ *Ibid.*, p. 1070.

⁵² *Acts and Resolves, Province*, VIII, p. 588 quotes town records.

⁵³ *Collections of the Mass. Hist. Soc.*, ser. 2, IV, pp. 88-90.

⁵⁴ Emit D. Grizzell, *Origin and Development of the High School in New England before 1865* (New York, 1922), pp. 4, 7, 8.

⁵⁵ *Acts and Resolves, Province*, IX, p. 558.

⁵⁶ *Ibid.*, p. 425.

sand acres to the Cambridge school confirmed in 1733;⁵⁷ and an estate of lands to the Springfield school for the support of the master.⁵⁸

From the evidence above, the conclusion may be drawn that while the entire support of the schools was not by taxation, usually at least a part of the maintenance came in some form from the public treasury. If it later appears that the content was of a religious character, it may be concluded that practically everywhere the state was aiding religious education. From facts already given incidentally it is clear that no objection would in any case be made to taxation or other public support, because of the religious content; rather that was one of the chief reasons of the public support. The schools were democratic, in the sense that they were invariably free to all on equal terms; and further there appears to have been always town payment in behalf of the poor children who could not otherwise attend. Religious ideas fostered this democracy, because it was considered as important for a poor child to be trained in the principles of religion for his soul's salvation as for a more favored child. There was, however, a sex limitation on this democracy. Prior to the Revolution girls did not attend the public schools, but learned to read the Bible, to say the catechism, to sew and work samplers, and perhaps to write, in private dame schools or at home.⁵⁹

Before passing to an examination of the content of the public schools, notice should be given of the way the towns administered the law of 1642 requiring all children and servants to be catechized. This it will be remembered was inherited from the poor law administration of England and was more particularly intended to benefit apprentices, servants, and children of dissolute parents. Immediately after the passage of the law we find that the seven men in

⁵⁷ *Ibid.*, XI, p. 740.

⁵⁸ *Ibid.*, VIII, p. 169.

⁵⁹ George G. Bush, *History of Higher Education in Massachusetts*, in *U. S. Bur. of Ed. Circ. of Inf.*, No. 6, 1891, p. 394. Littlefield, p. 117.

Ipswich were instructed to see that children, neglected by their parents, were employed, taught to read, and to understand the principles of religion and the capital laws of the country.⁶⁰ How the public authorities supervised the teaching of religion to apprentices through the apprenticeship contract appears from this sample one from the Watertown records, 1656:

"These are to show, that Eliz. Brailrook widow of Watertown, hath put her daughter (with the consent of the selectmen) into the hands of Simont Tomson and his wife of Ipswich ropemaker to be an apprentice, until she comes to the age of 18 years in which time the said Sarah is to serve them in all lawful commands, and the said Simont is to teach her to read the English tongue, and to instruct her in the knowledge of God and his ways."⁶¹

Similarly the enforcement of the law of 1642 appears from the following Watertown record:

"It was further agreed that the selectmen should go through the town in their several quarters to make trial whether children and servants be educated in learning to read the English tongue and in the knowledge of the capital laws according to the law of the country also that they may be educated in some orthodox catacise."⁶²

In 1661 Billerica appointed "Lieftenant Will French and Ralph Hill senior" to examine the families of the town to see whether the children and servants were taught in the precepts of religion, in reading and learning the catechism. More specifically in 1675 all children over eight were required to go to Rev. Mr. Samuel Whiting for examination in their catechizing and reading.⁶³ What might happen in families where the law was disobeyed is evident from the fact that the Salem selectmen in 1673 advertised children to

⁶⁰ Felt, *History of Ipswich, Essex, and Hamilton*, p. 57.

⁶¹ *Watertown Records*, p. 47, as quoted in G. L. Jackson, *The Development of School Support in Colonial Mass.* (New York, 1909), p. 28.

⁶² *Ibid.*, p. 104, as quoted p. 31.

⁶³ Henry A. Hazen, *History of Billerica* (Boston, 1883), pp. 252, 253.

be bound out because they were not instructed and brought up to useful employment.⁶⁴

If towns were lax in the enforcement of the law, there was the watchful eye of the County Court to remind them of their duty. It appears that Sudbury in 1655 reported to the Middlesex County Court that they had appointed persons to make the required examination.⁶⁵ In 1680, after the passage of the law of 1671, a full report was made by Sudbury, very likely because the County Court had been investigating their educational system. They confessed there was no stated school, but two Dame schools for teaching to spell and to read, and Thomas Walker and others were teaching privately. But the selectmen had in the three months past examined "families, children and youth, both as to good manners, orderly living, catechizing, and reading, as that they returned from all parts a comfortable good account of all these matters. . . . And the selectmen having also been acquainted that the court expects their inspection touching persons who live from under family government, or after a dissolute or disorderly manner, to the dishonor of God, or corrupting of Youth, the selectmen of the town as above having personally searched and enquired into all families and quarters, in and about this town, do return this answer, that they find none such amongst us."⁶⁶

An instance of what appears to have been a usual custom of requiring all children to be catechized by the minister is found in Chelmsford. A book entitled *The Watering of the Olive Plant in Christs Garden or A Short Catechism for the first Entrance of our Chelmsford Children*, prepared by Rev. Mr. Fiske, the minister, was printed by the church in 1657. Since the church could tax, the principle was no different than if the town had printed it. Later the church voted that all under 16 had to attend the pastor's house

⁶⁴ Felt, *Annals of Salem*, p. 244.

⁶⁵ Hudson, p. 140.

⁶⁶ Hudson, pp. 139, 140.

weekly for catechizing; while all "children of the Church" over 16 had to be catechized.⁶⁷ As late as 1753 Rev. Ebenezer Bridge records:

"Catechized the children at James Parkhurst's the school-house being unfit."⁶⁸

Turning from this state supervision of religious education outside of the public schools, we shall consider the content in those institutions which it has been shown were supervised by public authority and supported at least in part by public funds. We shall consider first the character of the Latin Grammar Schools, to which the greatest attention was given in the beginning.

These institutions were decidedly ministerial institutions. Ministers and college students of divinity were frequently teachers; the town minister or ministers probably had the greatest interest in them and after about 1700 in law as probably in custom before the licensing of the masters was in the hands of the ministers; the ministers in the later period served as visitors; the large Greek and Latin content was designed for the production of ministers rather than members of the commercial classes; the schools were aimed as instruments for upholding the prevailing Calvinistic system; the Psalter and the Bible and the Greek Testament, in preparation for the university, were the reading books.⁶⁹

The Boston Latin School was the prototype of the others and may well be taken as a representative of the character of others. Here the ministry jealously guarded their prerogatives. On May 13, 1703, in accordance with the new law, they recommended Mr. Nathaniell Williams as a fit person to be joined with Mr. Cheever in the government of the Latin School.⁷⁰ Upon the advice of the ministers in 1709 the town meeting granted £100 and an usher for the

⁶⁷ Wilson Waters, *History of Chelmsford* (Lowell, 1917), pp. 23-25.

⁶⁸ *Ibid.*, p. 558.

⁶⁹ Grizzell, pp. 18-27; G. H. Martin, *The Evolution of the Massachusetts Public School System*, (New York, 1894), pp. 61-67; *Chr. Rev.*, VI, p. 6.

⁷⁰ *Reports of the Record Commissioners of Boston*, XI, p. 33.

Free Grammar School. At the same time it was voted to choose as visitors gentlemen of liberal education and the ministers of the town. "And at their said visitation, one of the ministers by turns to pray with the scholars, and entertain 'em with some instructions of piety especially adapted to their age and education."⁷¹ But the haughty theocrat, Dr. Increase Mather, could not brook this desecration of the ministerial prerogative, and refused to serve when part of the visitors were to be laymen.⁷²

Perhaps the spirit of the school may best be understood by considering the character and methods of the early masters. Ezekiel Cheever, who died in 1708, had long been the master and was perhaps the most noted of the early New England schoolmasters. He stamped his character upon the school, and the leaders of New England life whom he sent forth. Cotton Mather was one of his most noted pupils. This learned divine preached his funeral sermon and commented warmly on the religious spirit and exercises of the school.⁷³ In memory of his venerable master he composed *Gratitudinis Ergo*,⁷⁴ a poem which well illustrates how the early schoolmasters turned all sorts of material to a religious purpose:

" 'Tis Corlet's pains, and Cheever's, we must own,
That thou, New-England, art not Scythia grown.

The Bible is the Sacred Grammar, where
The Rules of Speaking well, contained are.

⁷¹ *Ibid.*, VIII, p. 65.

⁷² Martin, p. 67.

⁷³ H. F. Jenks, *Catalogue of the Boston Public Latin School* (Boston, 1886), Appendix, pp. 273, 274. The following is significant: "His piety, I say, his piety; and his care to infuse documents of piety into the scholars under his charge, that he might carry them with him to the Heavenly World. He so constantly prayed with us every day, and catechized us every week, and let fall such Holy Counsels upon us; he took so many occasions to make speeches unto us, that should make us afraid of sin and of incurring the fearful judgments of God by sin; that I do propose him for imitation." ⁷⁴ *Ibid.*, pp. 276, 277.

He taught us Lilly, and he Gospel taught ;
 And us poor Children to our Savior brought.
 Master of Sentences, he gave us more
 That we in our Sententiae had before.
 We Learn't Good Things in Tullies Offices ;
 But we from him Learn't Better things than these.

With Cato's he to us the Higher gave.
 Lessons of Jesus, that our Souls do save.

How much he did to make us Wise and Good ;
 And with what Prayers, his work he did conclude.
 Concerned that when from him we Learning had,
 It might not Armed Wickedness be made !

Who served the School, the Church did not forget ;
 But Thought, and Pray'd, and often wept for it.
 Mighty in Prayer : How did he wield the Pray'r ! ”

The successor of Cheever until 1734 was Nathaniel Williams, who had previously been an assistant for some years. He appears to have continued the old régime, emphasizing especially formal religious instruction and training.⁷⁵

The content of instruction in the period of Cheever is clear from the above poem. At the time of the Revolution the entrance requirement was to read a few verses from the Bible. School opened with “*Attendamus*” for a short prayer. Books then in use were Cheever’s *Accidence*, *Nomenclatura Brevis*, and the *Colloquies of Corderius*.⁷⁶

⁷⁵ *Ibid.*, p. 280. In the funeral sermon for Williams, Rev. Thomas Prince commented in these words: “Here he displayed his singular talent for this laborious and important service, being very diligent and faithful; applying himself to bring on the children both in virtue, learning, and good manners; praying with them every morning and evening, instructing them in religious principles, especially on Saturdays, and affectionately recommending the practice to them.”

⁷⁶ H. F. Jenks, *The Boston Public Latin School, 1635-1880* (Cambridge, 1881), pp. 10-12.

The *Accidence*⁷⁷ was simply a grammar of Latin forms and rules in English, with no religious material, doubtless because there were no selections for translation. The title page of the 1838 edition states that it had been used in the schools of this country for a hundred and fifty years previous to 1800. The *Nomenclatura Brevis*⁷⁸ was a Latin vocabulary, with Latin and English in parallel columns, giving an encyclopedic knowledge like the books of Comenius. The words were arranged systematically under 33 heads, including birds, beasts, fishes, herbs, etc. The following will indicate the proportion of religious material: 1. Of the true God. 2. Of God the Father. 3. Of God the Son. 4. Of the Holy Ghost. 5. Of false Gods. 6. Of the Creatures. 7. Of rational Creatures. 16. Of the Understanding, Will, and Affections. 25. Of Vertues and Vices. The last heading is a good example of the Puritan way of calling black black and white white. There was no false modesty. The *Colloquies*⁷⁹ was the work of Maturinus Corderius, the master who taught John Calvin. An English edition was edited by Charles Hoole in 1652, and there were many editions in various countries. John Clarke edited an edition brought out by Isaiah Thomas in Worcester in 1801, and there was a New York edition in 1816. The book consists of dialogues, given in Latin and English, in parallel columns, between pupils and between a master and pupils. There are many references to prayers and Christian duties, but the majority of book was not religious in content. The *Sentences* referred to by Mather in his *Gratitudinis Ergo* undoubtedly were the *Sententiae Pueriles, Anglo-Latinae*, translated into English by Charles Hoole. There were fifty-three pages of moral maxims, and seventeen pages of "Holy Sentences to be taught scholars upon Holy-days."⁸⁰

⁷⁷ Ezekiel Cheever, *Latin Accidence*, revised from 18th ed. (Boston, 1838).

⁷⁸ *Nomenclatura Brevis* per F. G. (Boston, 1735).

⁷⁹ Maturinus Corderius, *School-Colloquies* (London, 1676).

⁸⁰ Leonard Culman, *Sententiae Pueriles, Anglo-Latinae* (Boston, 1723 ed.).

From the above we may conclude that the purpose and spirit of the Latin Grammar Schools was distinctly religious; and while much of the material was in Latin, this did not prevent the learning of religious ideas through this medium, or incidentally from the spirit of the master. Prayer and other religious training was a definite part of the school exercises.

When we turn to the elementary schools, it seems that the traditional three R's might more appropriately have been the four R's—Reading, 'Riting, 'Rithmetic, and Religion. The colonial laws referred to previously and the provisions in the towns have indicated in many places the religious purpose and the duties required of masters in teaching the principles of religion. But whether this is mentioned specifically or not, the masters could not well have avoided it, for all the colonial textbooks were filled with religious material.

The oldest school regulations available are those of Dorchester in 1645, drawn up by three wardens who were authorized to make special rules for the training up of children in religion, learning, and civility. There was a democratic flavor in that rich and poor were to be treated alike, and the majority of the inhabitants were to consent to the schoolmaster. Every second day in the week the scholars must be called together between twelve and one, to examine what they learned on the Sabbath. Prayer was provided for morning and evening. The rod of correction might be used because it was an ordinance of God. With reference to catechizing, the rules were specific to the minute:

"Every sixth day of the week at two of the clock in the afternoon he shall catechize his scholars in the principles of the Christian religion, either in some Catechism which the wardens shall provide and present, or in defect thereof in some other."⁸¹

The catechism was an important means of religious educa-

⁸¹ *Reports of the Record Commissioners of Boston*, IV, pp. 54-57.

tion. The Company records of April 16, 1628, show that they purchased to send over two dozen and ten catechisms, along with fifty-five other religious works, and a donated copy of Calvin's *Institutions*.⁸² Following the request of the General Court to the elders, there was printed in 1656 a Catechism by John Cotton, of which the title page reads: "*Spiritual Milk for Boston Babes in either England Drawn out of the Breasts of both Testaments for their soul's nourishment*." Many reprints indicate that it was extensively used.⁸³ After the *Westminster Shorter Catechism* was printed for official use in London in 1647, it gradually superseded the others in New England.⁸⁴

When the seventeenth century children first trudged to school they carried the old hornbooks, really not books at all, but a sheet of printed material pasted on a flat board and covered with horn to preserve the precious print. Frequently the form of the wood was that of a cross, to impress the children symbolically with the death of Christ; when later the form became that of a hand mirror, the figure of a cross was frequently printed at the top. The hornbooks contained the alphabet, the Lord's prayer, a creed, and sometimes an invocation or biblical sentences. In England the battledores took the place of the hornbooks later, but it is not certain whether they were used in Massachusetts. At any rate, the content was practically the same.⁸⁵

A book which paved the way to the primers was *The Protestant Tutor for Children*,⁸⁶ an English book of which

⁸² *Transactions and Collections of the American Antiquarian Society*, III, p. 30e.

⁸³ Littlefield, p. 107.

⁸⁴ *Ibid.*, p. 109.

⁸⁵ Littlefield, pp. 110-117; Holtz, pp. 54-56.

⁸⁶ Copies of this book are very rare. The American Antiquarian Library has a copy with the title page missing, supposed to be the only copy in America, and probably printed in Boston in 1685. A fragment of another copy was printed in Boston in 1685, but only the catechism and *Verses* of John Rogers are intact.

a Boston edition was published in 1685. It starts with the alphabet, the Lord's prayer, the creed, and Ten Commandments, like the hornbook. There follow easy lessons for reading, mainly from the Bible, and then *A Prospect of Popery* and *A Brief Account of the Horrid and Damnable Plot in the Year 1678. Contrived by the Papists for the Murdering of his Majesty*. This was an atrocious book for children, reflecting all too well the grim spirit of the times. It contained pictures of persons burning at the stake, being strangled, and being flayed while hanging by the heels from a limb. Similar horrible brutalities were described. There was a catechism and at least in some editions the *Verses made by Mr. John Rogers, a Martyr in Q. Maries Reign*. These verses he was supposed to have composed to admonish children in the intervals between gusts of flames while at the stake. Since there is a Boston edition, it is probable that the book was used in Massachusetts.

The origin of the primer in England has already been shown to have been a book of prayers issued by Henry VIII. Subsequently these came to be used as school textbooks. They were undoubtedly used in the Massachusetts schools, probably with additions of such material as the Rogers *Verses* and the catechism. Out of this grew the famous *New England Primer*, the oldest known one being published in 1727.⁸⁷ The early editions of this contained entirely religious material. The alphabet was taught by the familiar cuts and verses of Biblical and theological lore, running through from

“ In Adam's Fall,
We sinned All ”

to

“ Zaccheus he
Did climb the Tree
Our Lord to see.”

⁸⁷ Holtz, pp. 56-59.

Other material consisted of Bible questions and answers, Proverbs, the Lord's prayer, the Apostles' Creed, Watts' Cradle Hymn, and a catechism.⁸⁸ The *Primer* was improved in 1777, and the title page of an edition⁸⁹ of this in 1779 reads: *The New England Primer, Improved to which is added, The Assembly of Divines, and Mr. Cotton's Catechism*. In this there is included a *Dialogue between Christ, Youth, and the Devil*. At this time began the inclusion of what might be called moral as distinguished from religious content. Soon after the reading books and spellers began to take the place of the *Primer*, and the Cotton *Catechism*, and some of the religious material was left out, and ethical and moral material substituted.⁹⁰ Of the *Primer* Clifton Johnson says: "No book save the Bible did more to form New England character."⁹¹ And this character was formed in terms of Calvinistic theology.

Among the books classified as spellers, we find the earliest were printed at Cambridge between 1642 and 1645 by Stephen Day. During the same century Coote's *English Schoolmaster* was used extensively in New England. This book of seventy-nine pages had eighteen of religious material, including the Short Catechism, necessary observations of a Christian, prayers, and psalms.⁹² But the really popular spellers began with *The English Instructor*,⁹³ of which the first Boston edition was printed in 1731. The book was dedicated to the officers of the charity schools of London and Westminster and the aim and content may be judged from the statement that it was "more important to instruct them in the knowledge and practice of our holy religion." It contained moral fables, catechism, prayers, etc. The following excerpt contained a good truth for

⁸⁸ Martin, pp. 56-61.

⁸⁹ This edition was published in Boston, 1779.

⁹⁰ Holtz, pp. 59-60.

⁹¹ Johnson, p. 99.

⁹² Littlefield, pp. 118-120.

⁹³ Henry Dixon, *The English Instructor*. Title page missing. A later edition bears the title, 8th ed. (Boston, 1746).

parents regarding the importance of training, if not so useful for children:

An Old Crab and a Young

"Child, (says the Mother) you must use yourself to walk streight, without Skewing and Shailing so at every step you set.

Pray, Mother, (says the young Crab) do but set the Example yourself, and I'll follow you."⁹⁴

A later speller, "intended for children of an higher class," and "designed as well to instruct them in the duties of religion, as to render the initiatory part of education easy, profitable, and delightful," was entitled *The Youth's Instructor*⁹⁵ and contained three parts, the first two like *The English Instructor*, and the third devoted to arithmetic. It contained twelve pages of Biblical stories based on the Old Testament, the creed, the Ten Commandments, and prayers. All the selections were of a moral or religious tone. From 1740 to 1800 a very popular speller was Dilworth's *New Guide to the English Tongue*.⁹⁶ The preface is dated from the Wapping-School, England, June 14, 1740, and says that the Reformation has diminished ignorance because the Word of God is a lantern to our feet and light unto our paths, and every Protestant believes that it is his duty to promote Christian knowledge. In the Scripture quotations easy words are substituted. Students are advised to read the *Spectator* and *Tatler* rather than Grubstreet papers and lewd plays. The fourth part is devoted to divine and moral sentences, and practically all the reading is of a religious character. There are several short forms of prayer for morning and evening in school. A copy printed in 1782 bears the autograph, "John Quincy Adams, his book." It

⁹⁴ *The English Instructor*, p. 99.

⁹⁵ *The Youth's Instructor*, coll. from Dixon et al., (Boston, 1757).

⁹⁶ Thomas Dilworth, *New Guide to the English Tongue*. No title page.

is practically all religious, with ten prayers and two hymns. On such mental diet were presidents trained of old!

The Friends had their own speller, the work of George Fox, and an edition of it was published in Boston in 1743. This had forty-four pages devoted to scriptural names, weights, measures, the catechism, and proverbs, but with the exception of the catechism it was not so severely theological as the current books. There were also forty-nine pages of miscellaneous matter.⁹⁷ This was characteristic of changes in all the books, for new editions by the time of the Revolution were including some moral, political, and social elements with the religious.⁹⁸

Even the teaching of arithmetic was given a religious purpose. It was studied to help pupils find the chapters and verses of the Bible and problems concerned Biblical matters. Some arithmetic books were justified on the ground that they would help to appreciate the works of God's creation.⁹⁹

The titles of two books advertised in 1727 help to show the kind of literature for which children were prepared in school. One book was entitled *Godly Children their Parents Joy; Exhibited in several Sermons*. A more striking title was *A Token for Youth, or Comfort to Children. Being the Life and Christian Experience of the Wonderful Workings of the Spirit of God on Cartaret Rede; From her Infancy to her last Moments, (aged 6 yrs., 11 Months and 3 Days) as it was faithfully taken from her Mouth by a particular friend. The Twenty-fifth Ed.*¹⁰⁰

Reading books did not become an element in education during the colonial period. Rather after the preliminary work in primers and spellers the children were advanced in classes through the Psalter, Testament, and Bible.¹⁰¹

⁹⁷ Holtz, pp. 64, 65.

⁹⁸ *Ibid.*, p. 66.

⁹⁹ Holtz, p. 68.

¹⁰⁰ *The Boston Weekly News-Letter*, Feb. 9-16, 1727.

¹⁰¹ Johnson, p. 185; Littlefield, p. 103; Slafter, II, p. 15.

The list of pupils in Roxbury in 1770 shows the following: Latin, 9; Cypherers, 20; Writers, 17; Testament, 10; Psalter, 10; Spellers, 19.¹⁰² Rev. Dr. Cooley of Granville, who taught in the schools of Western Massachusetts, says of conditions there at the time of the Revolution:

"The only school books were Dilworth's spelling book, the primer, the Bible. . . . Reading, spelling, a few of the business rules of arithmetic, the catechism and writing legibly, was the amount of common school education for sons; and for daughters, still less."¹⁰³

From this study of the content of colonial education in Massachusetts, no question can be raised as to whether the state supported religious education. The main purpose was to enhance religion and practically everything was determined by this aim.

Education was also employed by the Puritan state as a means of Christianizing and civilizing the Indians. It will be recalled that this had been stated in the Charter as a principal end of the plantation.¹⁰⁴ Before the government was transferred, Governor Matthew Craddock wrote to the colony:

"We trust you will not be unmindful of the main end of our plantation, by endeavoring to bring the Indians to the knowledge of the Gospel; as also to endeavor to get some of their children to train up to reading, and consequently to religion, whilst they are young."¹⁰⁵

It was under the energetic leadership of John Eliot that the colony attempted to execute this commission. He prepared *The Indian Primer*, printed in 1669, which contained the Lord's prayer, a creed, exposition of the creed, degrees of Christian duties, the large catechism, the Ten Commandments, the short catechism, and the names in order of the

¹⁰² Dillaway, p. 66.

¹⁰³ Ariel Parish, *History of Education and Educational Institutions in Western Massachusetts* (Springfield, 1855), p. 513.

¹⁰⁴ *Supra*, p. 16.

¹⁰⁵ *Records of the Gov. and Co. of Mass. Bay*, I, p. 384.

Old and New Testament.¹⁰⁶ He translated into the Indian tongue the Bible and other books, such as a grammar, singing psalms, the *Practice of Piety*, *Baxter's Call to the Unconverted*. All these were printed at the charge of the corporation stock. From the same treasury came the payment for diet, apparel, books, and schooling in fitting Indian youth to be "learned and able preachers unto their countrymen." But this fond hope was destined to be disappointed, for the Indians became discouraged, took up other callings, and those who stuck to their books were carried off by tuberculosis.¹⁰⁷

A report to the King, in May, 1665, in answer to questions, carried the information that the work of "civilizing and instructing the Indians in the knowledge of God and humane learning" was being carried out through a small college or "fabricke of bricke erected in Cambridge" for the especial use of Indian students at Harvard. The state paid the expenses of Indians in schools and colleges, and persons were appointed to instruct them in civility and religion.¹⁰⁸

The subject of Indian education was also considered at a meeting of the Commissioners of the United Colonies in 1679. A motion to provide schools to teach them English was approved, as it was thought this would be likely "to reduce them to civility; and capassitate them to be religiously instructed." Unfortunately the question of finance was postponed until the next meeting.¹⁰⁹

But whatever the intentions, only one Indian graduated from Harvard and the Puritans could not get on friendly terms with the Eastern Indians. In 1716 they thought they saw an opportunity to carry out the professed intention of their fathers to instruct them in religion and learning,

¹⁰⁶ Littlefield, pp. 147-148.

¹⁰⁷ Daniel Gookin, *Historical Collections of the Indians in New England*, in *Collections of the Mass. Hist. Soc.*, ser. 1, I, p. 172.

¹⁰⁸ *Records of the Gov. and Co. of Mass. Bay*, IV, Pt. II, p. 198.

¹⁰⁹ *Records of the Colony of New Plymouth*, X, p. 368.

and after a report by a committee they voted to pay a minister to them, to send also an assistant schoolmaster, and to spend £10 for toys "to encourage em to lern."¹¹⁰

But the Eastern Indians and the Puritans do not seem to have developed into a peaceful Christian brotherhood, for in 1723 representatives of the Six Nations and the Mohegun and Scatacosk Indians of New York journeyed all the way to Boston with their pots and kettles to be mended by the white brothers, prepared to make a treaty that they should join in fighting the Eastern Indians. Under the circumstances the General Court voted to offer to give one or two male youths of each tribe a Christian education at the college, that they might go back to their tribes and teach them the Christian faith, and to inquire whether the tribes would receive a minister and schoolmaster.¹¹¹ The offer was communicated to the Indians by the Lieutenant Governor, but at the same time it was broadly hinted that there were rewards offered for the scalps of Eastern Indians and if the young braves present could scurry around and bring in a few while waiting it would not be amiss.¹¹²

The Society for the Propagation of the Gospel was interested in Indian education and the state left most of the work to this private agency.¹¹³ Just before the French and Indian War the English were making strong efforts to keep the Six Nations from joining the French. A group of them settled at Stockbridge and were granted a tract four miles square, with a reservation of two hundred acres for a school and one hundred for the use of the missionary. If improved and kept for ten years it was to be theirs. £200 were appropriated to the Society for the Propagation of the Gospel, provided they furnished a missionary and schoolmaster to instruct in reading and writing and the principles of the Christian religion.¹¹⁴

¹¹⁰ *Acts and Resolves, Province, IX, 500.*

¹¹¹ *Journal of the House of Representatives, 1723-1724, p. 177, 178.*

¹¹² *Ibid.*, pp. 206, 207.

¹¹³ *Collections of the Mass. Hist. Soc.*, ser. 6, II, p. 169.

¹¹⁴ *Acts and Resolves, Province, XIV, pp. 488, 563, 683.*

CHAPTER IV

COLONIAL SUPPORT OF RELIGIOUS EDUCATION IN HARVARD COLLEGE

TO DETERMINE whether Harvard College was the child of the state or of church and private enterprise presents a legal problem which has never been clearly settled. The reason for the obscurity is due to the fact that it was promoted by the people of the Massachusetts colonies, and their political and religious and educational institutions were so peculiarly interwoven and they were themselves so homogeneous, that it was to them a matter of indifference through which agencies they carried out their purpose. That purpose has been clearly expressed by the writer of *New England's First Fruits*, published in London in 1643:

" . . . one of the next things we longed for and looked after was to advance learning and perpetuate it to posterity; dreading to leave an illiterate ministry to the churches, when our present ministers shall lie in the dust. . . . Master Dunster has so seasoned them with the principles of divinity and Christianity, that we have to our great comfort (and in truth) beyond our hopes, beheld their progress in learning and godliness also."¹

The origin of the college in the gift of Rev. John Harvard's library is significant because this was for the time a great collection of theological works and it stamped the college from the beginning as a place for the production of ministers. In the collection were writings of such theologians as Ames, Aquinas, Bellarmine, Beza, Broughton, Chrysostom, Calvin, Duns Scotus, Luther, and Pelagius.²

¹ In *Collections of the Mass. Hist. Soc.*, ser. I, I, pp. 242-243.

² *40th An. Rept. of Bd. of Ed.*, 1875-1876, p. 51.

There appears no evidence that he intended to become in law a first donor with the rights appertaining thereto.

The administration of the institution under the colonial charter rather indicates that the colony assumed full control. When in 1636 it made the initial appropriation of £400 to go with the Harvard Library, it provided for its administration by six magistrates and six elders.³ After some of these had moved, the General Court in 1642 created what came to be known later as the Board of Overseers. It provided that the Governor, his deputy, all magistrates, and the teaching elders of the six next adjoining towns, *i. e.*, Cambridge, Watertown, Charlestown, Boston, Roxbury, and Dorchester, with the president of the college, should act as trustees and make rules for "piety, morality, and learning," and control the funds.⁴ In 1650 a charter was granted to the college and by this instrument the President and Fellows became the corporation, but with the Board of Overseers not abolished and retaining a veto power. The purpose as indicated in the charter was the "education of English and Indian youth of the country in knowledge and godliness."⁵ The college never accepted or acted under a new charter conferred in 1672. When the colony charter was cancelled in 1684 the college charter became null and void, and during the interval until the legislation of 1707 under the provincial charter the governors controlled the institution arbitrarily.⁶

After the £400 initial appropriation, the General Court in 1640 granted the ferry over the Charles River, a grant which was later to prove a fruitful subject of litigation.⁷ In 1650 there was an annual appropriation of £100 when the charter was given and in 1653 a grant of 2,000 acres of land was added.⁸ But in 1652 the General Court

³ *Records of the Gov. and Co. of Mass. Bay*, I, p. 183.

⁴ *Ibid.*, II, p. 30.

⁵ *Ibid.*, IV, Pt. I, pp. 12-14.

⁶ *Sen. Doc.* 158, 1849.

⁷ *Records of the Gov. and Co. of Mass. Bay*, I, p. 304.

⁸ *Ibid.*, IV, Pt. I, pp. 12-14; *H. R. Doc.* 28, 1827.

answered a petition for funds by telling the officers of the college to write to the elders of the churches, asking them to use their influence to secure a voluntary contribution from the towns where they resided.⁹

That this activity must have had the royal favor, appears from the instructions to commissioners in 1665 to inquire among other matters into "what progress hath been towards the foundation and maintenance of any college or schools for the education of youth, and in order to the conversion of infidels."¹⁰

Harvard was not entirely under the fostering care of the Bay colony. A petition of Mr. Shepard, the pastor at Cambridge, was presented to the Commissioners of the United Colonies at their meeting in September, 1644, alleging that in Christian commonwealths those in charge provided for public schools to train men for all callings in church and commonwealth, to prevent degeneracy into sin and profaneness. The Commissioners approved the sentiments and referred the matter to their General Courts.¹¹ This apparently ended the matter, but in 1671 we find the Governor and Council of the Bay Colony writing to Gov. Thomas Prince of Plymouth, inviting them to join in the support of Harvard college, for these reasons:

"How far the glory of God, the interest of religion, the future weal, supply, and propagation of these churches of Christ, stands concerned therein, we need not, especially unto yourselves, with many words insist on."¹² The Plymouth Court discharged the obligation by exhorting the ministers and elders to take contributions, because many worthy and useful persons had come forth for service in church and commonwealth.¹³

Thus both Massachusetts Bay and Plymouth definitely

⁹ *Ibid.*, IV, Pt. I, p. 91.

¹⁰ *Ibid.*, IV, Pt. II, p. 190.

¹¹ *Records of the Colony of New Plymouth*, IX, p. 20.

¹² In *Collections of the Mass. Hist. Soc.*, ser. 1. VI, pp. 95, 96.

¹³ *Records of the Colony of New Plymouth*, XI, pp. 233, 237.

approved the college as worthy of public support, and especially because it was an agency for religious education. While the purpose was of course to teach orthodox Calvinism, the charter of 1650 was not sectarian in character and no theological tests were required of its officers. All religious sects and parties were on an equal basis. In fact the two first presidents were really Baptist in some of their theology, and Dunster served for fourteen years before being compelled to resign because of a public statement that he was opposed to infant baptism. But his successor, Chauncy, was likewise opposed to sprinkling. Still this did not prevent the place being virtually a theological seminary.¹⁴ The daily routine and the curriculum were carefully worked out with this end in view.

The earliest regulations we have are *The Laws, Liberties and Orders of Harvard College*,¹⁵ confirmed by the President and Overseers in 1642 and published for the guidance of students. By these the students were exhorted "to lay Christ in the bottom, as the only foundation of all sound knowledge and learning."

1. Latin and Greek were the entrance requirements.

2. "Every one shall consider the main end of his life and studies, to know God and Jesus Christ, which is eternal life; John XVII, 3."

3. "Seeing the Lord giveth wisdom, every one shall seriously, by prayer in secret, seek wisdom of him; Proverbs, II, 2, 3."

4. Students were required to read the Scriptures twice daily and answer questions of tutors on their reading.

5. They were advised to shun the neglect of God's ordinances in the public church assembly and to be ready to report to their tutors as to how they had profited from the sermon. "And all Sophisters and Bachelors . . . shall publicly repeat sermons in the Hall, whenever they are called forth."

6. "They shall eschew all profanation of God's holy name, attri-

¹⁴ Josiah Quincy, *The History of Harvard University*, 2v. (Cambridge, 1840), I, pp. 44-52; Bush, p. 44.

¹⁵ This document is reproduced in Quincy, I, pp. 515-517 and the substance is given in *New England's First Fruits in Collections of the Mass. Hist. Soc.*, ser. 1. I, pp. 243-244. Parts relating to religious education are given here.

butes, word, ordinances, and times of worship; and study, with reverence and love, carefully to retain God and his truth in their minds."

13. "The scholars shall never use their mother tongue, except that in public exercises of oratory, or such like, they be permitted."

14. Scholars who were absent from lectures or prayers without urgent necessity or leave of the tutor, when in health, were liable to admonition or punishment, if they offended more than once a week.

17. Admonition and correction were also provided, "if any scholar shall transgress any of the laws of God, or the House, out of perverseness, or apparent negligence."

18. "Every scholar, that on proof is found able to read the original of the Old and New Testament into the Latin tongue, and to resolve them logically, withal being of honest life and conversation, and at any public act hath the approbation of the Overseers and Master of the college, may be invested with his first degree."

Likewise in the beginning the curriculum included such subjects as Hebrew, Chaldee, Syriac, Bible Study, and "Divinity Catecheticall."¹⁶ In 1650 the Overseers, to prevent the misuse of time to the dishonor of God and disappointment of friends, provided for an annual visitation of three weeks, when pupils were expected to submit to an examination by all comers, in Latin, Greek, Hebrew, Rhetoric, Logic, and Physics.¹⁷ These studies were calculated to be the necessary equipment for ministers, and the *Magnalia* of Cotton Mather declares that half the graduates of Harvard for the first fifty years became members of that profession.¹⁸

The daily exercises of the college included Scripture reading and prayer at seven A.M. and five P.M.¹⁹ Neal states that it was the duty of the president to pray and expound a chapter morning and evening. In the morning the more advanced students read out of Hebrew into Greek, and the freshmen in the evening read out of Latin into Greek, each taking a verse in turn.²⁰

¹⁶ *New England's First Fruits*, pp. 244, 245.

¹⁷ Quincy, I, pp. 517-519.

¹⁸ Bush, p. 36.

¹⁹ *New England's First Fruits*, p. 244.

²⁰ Neal, I, pp. 203, 204.

The greater degree of toleration, established by the Charter of 1691 for the Province, led to new demands on the part of those who differed from the strict Calvinism of the original settlers for a voice in the management of the college, and there was a hectic period of attempts to get a new charter. The liberal Congregationalists and the Episcopalians were fighting particularly against Increase and Cotton Mather as representatives of the old order. A clergyman of the Church of England, Ratcliffe, had attended the Commencement officially in 1686, but President Mather monopolized all the praying and the Episcopalians deemed it an indignity.²¹ Mather took the offensive at the very beginning of the provincial period and got a charter through the General Court which abolished the Board of Overseers and thus prolonged the power of the hierarchy. He also attempted to get Leverett, a liberal, out of the Corporation.²² The religious purpose was still manifested in the preamble in these words:

"Whereas, the due encouragement of all good literature, arts, and sciences will tend to the honor of God, advantage of the Christian Protestant religion, . . ." ²³

But the Privy Council disallowed this charter on August 22, 1695, and the charter was again disallowed on November 24, 1698; the reason was that the abolition of the Board of Overseers deprived the King of visitors of the college.²³ Meantime Lt. Gov. Stoughton reorganized the government of the former President and Fellows, and the custom developed of the House nominating and the Senate confirming the officers.²⁴ In 1699 Increase Mather and seven clergymen, previously members of the Corporation, presented a petition for a new charter to the Governor and General Court, in the course of which they said:

"And we do more particularly pray, that, in the charter

²¹ Quincy, I, pp. 58, 65-67.

²² *Ibid.*, pp. 68-87.

²³ *Acts and Resolves, Province*, I. pp. 38-39; 288-290.

²⁴ *Sen. Doc.* 158, 1849.

for the college, our holy religion may be secured to us and unto our posterity, by a provision, that no person shall be chosen President or Fellow of the college, but such as declare their adherence unto the principles of reformation, which were espoused and intended by those who first settled the country and founded the college, and have hitherto been the general profession of New England; and that the power of visitation be so expressed, as that we may have reason to hope that the charter will be favored with the royal approbation.”²⁵

Even if the Overseers could not be abolished, it was apparently hoped by these means to retain control in the hands of the orthodox Congregationalists. Doubtless Gov. Bellamont regarded it as a barrier to Anglicans, but it was also directed against liberal Congregationalists like Leverett and Brattle of the Corporation. A deadlock ensued when Gov. Bellamont objected to the bill with this religious test, as passed by the General Court, and the House refused to recede from its position. Bellamont then suggested getting a charter directly from the King.²⁶ The following year a new charter reserving to the Governor and Council the right of visitation and with no religious test for officers and instructors, but with the orthodox people holding a majority of the seats in the Corporation named in the charter, was refused by the King.²⁷ Episcopalian discontent with the prevailing situation is revealed by a charter for a proposed college in New Haven sent by Samuel Sewall and Addington because they aver there was a decay of schools and colleges in Massachusetts, and they hoped they will prosper in Connecticut.²⁸

The failure of Increase Mather to secure the presidency in 1701 and the election of the liberal Leverett in 1707

²⁵ The document is given in Quincy, I, p. 99. Cf. *Acts and Resolves, Province*, I, p. 100 for the bill.

²⁶ Quincy, I, pp. 100-101.

²⁷ *Ibid.*, I, pp. 103-108; *Sen. Doc. 158, 1849.*

²⁸ Quincy, I, pp. 519-520.

marked the change in control from the strict to the liberal group of Congregationalists.²⁹ Much of the quarrel was personal and it probably did not greatly affect the quality of the religious education given. The Fellows chose Leverett as a "very able and faithful instrument to promote the Holy Religion here practiced and established," and thirty-nine ministers guaranteed his religion and learning and addressed the Governor urging his selection and maintenance by the General Court.³⁰ In the same year a law was passed reviving the act of 1650 to serve as a charter, since the attempt to get one through the King had been given up. A salary of £150 was at the same time voted to President Leverett. In the following year the corporation was reduced to seven, as in the 1650 act.³¹ The result was that the Overseers tended to give a democratic control subject to popular changes in politics and religion, while the Corporation continued the stability and theological views of a group, as it developed, the less orthodox group. This difference, theologically, led to controversy even in the administration of Leverett.³²

But all the parties wanted religious education and there is evidence it was not wanting in the college. A case occurred in 1674 where a student was whipped and suspended from taking his degree for speaking blasphemous words, and the corporal punishment was preceded and followed by prayer.³³ About 1700 there was compulsory church attendance at a church in Cambridge and in a particular gallery. But Dr. Increase Mather objected to expounding the Scriptures at morning and evening prayers to forty or fifty children who were incapable of edification by such exercises. But under Leverett the custom was revived. The freshmen were permitted to use English Bibles,

²⁹ *Ibid.*, I, pp. 125-157.

³⁰ *Acts and Resolves, Province*, VIII, pp. 795, 796.

³¹ Quincy, I, pp. 158-161; *Sen. Doc.* 158, 1849.

³² Bush, pp. 39, 40.

³³ Quincy, I, p. 189.

but those beyond translated the Hebrew Old Testament in the morning and the English or Latin New Testament in the afternoon into Greek. The subject of Scripture exposition was brought up by Judge Sewall in Overseers' meeting in 1718, and the President replied that he must be supported if he had to do it. In consequence it was voted that the President should "entertain the students with expositions of the Holy Scriptures." A change was made in 1725 relaxing the regime somewhat, so that thereafter the Scripture reading was at the rooms of the tutors. For the morning service the President read and expounded a chapter of the Old Testament and offered a short prayer. The evening reading was from the New Testament. Instead of the exposition on Saturday and Sunday, psalms were sung. On Sunday evening a student repeated the morning sermon at church.³⁴ At about the same time a committee reported to the Board of Overseers that books in divinity were not especially recommended, but students read promiscuously in authors of different denominations. A Greek catechism and Wallebius' and Ames's systems of divinity were used as texts. It was reported that prayers and readings were usually attended.³⁵

Meantime the strict Calvinists who controlled the Board of Overseers and the lower house of the legislature attempted to make the college an instrument of their system of belief, in opposition to the Corporation, which was conducting the college in a less sectarian spirit and was conciliatory toward the Episcopalians. It happened that the chief benefactor of theological education in the college at this time was an English Baptist merchant, Hollis by name, who founded the Hollisian Professorship of Divinity. The only test he required of the incumbent was that he subscribe to his belief that the Scriptures of the Old and New Testaments were the only perfect rule of faith and man-

³⁴ Bush, pp. 32-33; Quincy, I, Appendix, pp. 494-495 gives an extract from Sewall's *Diary* regarding his motion.

³⁵ Quincy, I, pp. 319-320.

ners.³⁶ In establishing a fund for poor students he merely specified that none should be excluded on account of his belief and practice of adult baptism, if he was sober and religiously inclined.³⁷ This shows that Hollis desired to do no more than provide that nothing would be done to exclude members of his own denomination from the benefits of his generosity. He desired to exclude no Christians. But when Professor Wigglesworth was elected as the first incumbent in 1722, the strict Calvinists in the Board of Overseers established a precedent by recording that he had assented to the following propositions:

"1. To Dr. Ames's *Medulla Theologiae*. 2. To the Confession of Faith contained in the Assembly's Catechism. 3. To the doctrinal Articles of the Church of England. More particularly; 1. To the doctrine of the Holy Trinity. 2. To the doctrine of the eternal Godhead of the blessed Savior. 3. To the doctrine of Predestination. 4. To the doctrine of special efficacious grace. 5. To the divine right of infant baptism."³⁸

Besides this attempt to control unfairly the generous provisions of a liberal Baptist, the old school party also tried to replace two liberal members of the Corporation by two young tutors. Besides, the Overseers asked to have the Corporation enlarged. The upshot of the matter was that the House and Council adopted a report that the charter of 1650 intended resident tutors to be Fellows. To this attempt to exclude the non-resident members of the Corporation who were liberal, Governor Shute objected and the matter had to be dropped.³⁹

After this there was less strife among the Congregationalists, but a determined effort was made by the Episcopalians to secure a position of influence beside the Congregationalists.

³⁶ *Ibid.*, pp. 213, 233, 234, 235, 241.

³⁷ Quincy, I, Appendix, p. 530, gives the Hollis letter of bequest.

³⁸ *Ibid.*, p. 255.

³⁹ *Ibid.*, pp. 265-305.

Since the first Episcopalian society was organized in Boston in 1686 under the influence of the English Governor, the denomination had made a strong effort from England to secure a foothold in New England, especially through the Society for the Propagation of the Gospel in Foreign Parts. Their leaders about 1725 were Dr. Cutler, a former president of Yale converted to Episcopacy, and now a minister in Boston; and Mr. Myles of King's Chapel.⁴⁰ Their claim was to a right to sit in the Board of Overseers under the law of 1642 because they were teaching elders of one of the six next adjacent towns, Boston. As a matter of fact Mr. Harris, an Episcopal clergyman, had sat with the Overseers in 1720, and Dr. Cutler and Mr. Myles had received notices of meetings. But after 1722 the Episcopalians were not summoned, and upon application in May, 1727, the Board definitely informed them they were not entitled to sit. Thereupon the Episcopal churches paid the necessary expenses for a petition to the General Court, signed by seventy Episcopalians.⁴¹ This petition averred the college was "the common nursery of piety and learning of New England in general, as well of those that are of the order of the Church of England as of them that are of the order of the churches of New England."⁴² They said the Episcopalian orthodoxy was not in question, and their clergymen were equally ready to "promote the interests of religion, good literature, and good manners."⁴³ The Harvard Board of Overseers, to whom the General Court first referred the petition, interpreted the term teaching elder of the law of 1642 to mean "pastors and teachers of a complete and Congregational church." They maintained that education in Harvard was free to all without religious oaths or subscriptions. The

⁴⁰ *Ibid.*, pp. 350, 356, 360, 365, 366.

⁴¹ Foote, I, pp. 345-349.

⁴² Elsie W. Clews, *Educational Legislation and Administration of the Colonial Government* (New York, 1899), pp. 53-54.

⁴³ Quincy, I, Appendix, pp. 560-563 gives the petition.

management was in the hands of the Congregational order, but sons of the Church of England were equally welcome. But it was impossible to vary from the ancient charter ordained by the fathers.⁴⁴ The General Court followed this advice and refused the petition.⁴⁵ This ended the Episcopalian attempt to secure partial control. It was probably prompted more by denominational jealousy than a desire to influence the actual religious education. It confirms the fact that the state as well as all denominations believed that religious education should be a part of the education supervised by the state.

During the remainder of the colonial period, the status of the college changed little and there was a growing spirit of tolerance. The unanimous choice of President Holyoke, a man of liberal spirit, in 1737, was an example of this.⁴⁶ It happened that a fellow pastor of Mr. Holyoke in Marblehead, Rev. John Barnard, was dining with Governor Belcher, when the Holyoke election was under consideration. Barnard suggested that Holyoke was well qualified for the presidency.

"But," said his Excellency, "will you vouch, Mr. Barnard, for Mr. Holyoke's Calvinistical principles?"

"I think Mr. Holyoke as orthodox a Calvinist as any man; though I look upon him too much of a gentleman, and of too catholic a temper, to cram his principles down another man's throat."

"Then," said his Excellency, "I believe he must be the man."⁴⁷

But there was still some attempt to control the orthodoxy of those appointed to the teaching staff. Professor Winthrop was elected to the Hollis Professorship of Mathematics without examining him theologically, but the Board

⁴⁴ Quincy, I, Appendix, pp. 566-571 gives the answer.

⁴⁵ *Acts and Resolves, Province, XI*, p. 262.

⁴⁶ Quincy, II, pp. 9, 10.

⁴⁷ *Autobiography of Rev. John Barnard*, in *Collections of the Mass. Hist. Soc.*, ser. 3, V. pp. 220-221.

of Overseers did refuse to approve a tutor until satisfied as to his religious beliefs in 1739. The different points of view are illustrated by the statement of Jonathan Edwards that proper religious education was not given and the reply of Dr. Chauncy that it was never better.⁴⁸ These two were leaders of the two wings of Congregationalists. The rigid Calvinists were stimulated by the preaching of Whitfield in 1740, who was a Calvinistic Methodist; they were strong in Western Massachusetts and Connecticut; and they were beginning to turn from Harvard and give their support to Yale, a strictly Calvinistic institution. On the other hand many of the Harvard clergy around Boston were considered Arminians, Arians, and Deists. Out of this element was to develop the Unitarian group.⁴⁹

Meantime the state had been giving intermittent financial assistance to this institution emphasizing religious education. Governor Shirley officially recognized this when in 1741 he visited the college and made a formal Latin speech in which he said he would give all his care to the college for the promotion of learning and religion.⁵⁰ In 1718 there had been an appropriation of £1500 and in the following year of £2000; in 1753 the real and personal property of the college was exempted from tax not to exceed £500 per annum.⁵¹ Direct support was also given to religious education in grants to the divinity and Hebrew professors. January 11, 1741, the Council granted £30 to Rev. Edward Wigglesworth and there were subsequent grants quite regularly.⁵² In 1753 and 1754, R. Judah Monis, first publisher of a Hebrew Grammar in America, received grants of £40; and subsequently grants were continued to this professor of Hebrew.⁵³ In 1765 the General Court authorized a lottery

⁴⁸ Bush, pp. 54-56.

⁴⁹ Quincy, II, pp. 39-71.

⁵⁰ *Ibid.*, II, p. 89.

⁵¹ *H. R. Doc.* 28, 1827.

⁵² *Acts and Resolves, Province*, XIII, pp. 81, 203, 689.

⁵³ *Ibid.*, XV, pp. 92, 272, 674.

for £3,200 because it believed that the best way to excite private benefactions to provide lodging rooms, the Court having recently been at great expense in building Hollis Hall, and in rebuilding Harvard College.⁵⁴

Therefore during the period of the Province, the government partially supported the college in various ways, guided its destinies through the charter legislation and through official representation on the Board of Overseers and choice of other officers. The fact that religious education was given was a special reason for the patronage of the government. The influence of the King and the Governor in theological quarrels was on the side of toleration and liberality; while the lower house particularly was usually devoted to the propagation of strict Calvinism. The general attitude of the state to the institution may be summed up in the words of Governor Hutchinson to the Corporation in 1771:

"I am bound to embrace every opportunity and to improve every advantage which my present station may afford for the encouragement of this eminent seat of learning, which has been of such signal use to the province in civil as well as religious grounds."⁵⁵

The disgust of the strict Calvinists of Western Massachusetts with the liberal theology of Harvard and their failure to control the Corporation led them in 1762 to start an abortive attempt to establish a new college in the interior of the state. In their petition for a charter for a college in Hampshire County they gave as a reason for it the failure of Harvard to propagate orthodox principles of religion and vital piety, a defect which they proposed to remedy.⁵⁶ Though the Council opposed it, the House naturally supported it. In this deadlock, the Governor suddenly signed a charter, an unusual act.⁵⁷ But before it was delivered,

⁵⁴ *Ibid.*, IV, p. 834. The list of grants here is not complete.

⁵⁵ *The Boston Evening Post*, March 25, 1771.

⁵⁶ Bush, p. 57.

⁵⁷ Quincy, II, pp. 105-111.

the Overseers presented a remonstrance and influenced the Governor to drop it. They insisted that Harvard was founded for learning and religion and was "the College of the Government." All Christians were free to send their sons, but care was taken to teach good religious principles and morals. They must oppose a new college, which would be prejudicial to the general interest of literature and religion, and from which "comparatively unlettered persons" would get into pulpits.⁵⁸ The Overseers took the precaution to send a *Circular Address*⁵⁹ to England and prevented the idea of an interior college of strict Calvinism until after the Revolution. From the financial and administrative standpoint the decision of the government appears wise at the time, and there is no evidence that there was desire on the part of the government to prevent that kind of teaching.

⁵⁸ The remonstrance is given in Quincy, II, Appendix, pp. 464-475.

⁵⁹ *Ibid.*, p. 477.

CHAPTER V

PUBLIC RELIGIOUS EDUCATION, 1780-1837

A CONSIDERATION of the religious education publicly provided in the period from the Revolution to the establishment of the Board of Education in 1837 requires first of all an understanding of the constitutional relations of church and state and the constitutional basis for the general educational system.

We have seen that in the colonial period there had been established toleration for all except Catholics, while all had to support by taxes the religious worship desired by the majority of each town, except that Episcopalians might have their tax transferred to their minister, and Quakers and Baptists were exempted because of conscientious scruples, if members of a regular church society. But this arrangement was not working out satisfactorily to all the Baptists, as they were divided into paedobaptists and anti-paedobaptists; frequently too the tax was illegally collected and endless lawsuits were necessary to get it back. The situation was discussed in 1771 by A Countryman in *A Letter to a Gentleman in the Massachusetts General Assembly*,¹ who denied the right of rulers to use the civil sword to force any support of religious worship. He quoted Locke's *Letter on Toleration* that the care of the souls does not belong to the civil magistrate, because that depends on force and religion on the inward persuasion of the mind. In practice he claimed Baptists were taxed for religious worship and cited cases at South Hadley, Montague, Shutesbury, Colerain, and Chesterfield. Frequently the civil and ecclesiastical rates were put together and if Baptists re-

¹ The document is in *American Antiquarian Society Pamphlets*, 312.

fused to pay their land was sold. A controversy developed in which a "Catholic Baptist" asserted the General Court had done all it could for the Baptists,² while an anonymous writer answered:

"All the bishops in Old England have not done the Baptists so much despite in 80 years past, as the Presbyterians have done this year to the Baptists of New England."³

The town of Chelmsford in 1776 refused to exempt Baptists from paying the ministerial rate.⁴ The significance for us is that the Baptists on the eve of the making of the state constitution were taking the lead in the attitude that the state had no right to promote religion. They expressed the principle that members of no church should not be taxed to support the Congregational Church, as was then the law.⁵ But still when the Boston Baptist ministers congratulated Governor Hutchinson on his appointment, they referred to him as a "Minister of God for Good."⁶

In addition to this religious movement toward the separation of church and state, the political writings of Locke, Rousseau, and Tom Paine were leading to a new emphasis on individuality and the natural rights of man. This naturally led to a separation of church and state, because the state was not given a theological basis by these writers.

The first attempt to give the state a frame of government, after the Declaration of Independence destroyed the validity of the old charter, was in 1777 and 1778. The legislature secured the consent of the towns to make a constitution and submitted its work to them for ratification, under a resolution of March 4, 1778, to effect that a two-thirds vote of those voting should be necessary for ratification.⁷ This constitution provided that only Protestants could hold im-

² *The Boston Evening Post*, Jan. 7, 1771.

³ *Ibid.*, Jan. 14, 1771.

⁴ Waters, pp. 697-699.

⁵ *Appropriations for Sectarian and Private Purposes in Bulletins for the Constitutional Convention, 1917-1918*, II, pp. 16-17.

⁶ *The Boston Evening Post*, March 25, 1771.

⁷ John Adams, *Works*, IV. Charles Francis Adams, ed. (Boston, 1850), IV, p. 213 ff.

portant offices and granted freedom of religion and worship to every denomination of Protestants.⁸ The constitution was hotly discussed in town meetings and at a convention of twelve towns at Ipswich. The latter objected to it because there was no bill of rights defining the rights of conscience and because freedom of worship should be a natural right and not "allowed."⁹ This point was the cause of opposition led by the Baptists which was one reason for the rejection of the constitution by five-sixths of those who voted.¹⁰

The constitution framed by the convention which did its work between September, 1779, and March, 1780, is still the framework of government of the Commonwealth of Massachusetts, and has the distinction of being the only constitution of the original states still in existence. John Adams returned from Europe just in time to be elected, and though not present through all the deliberations, a committee for the original draft was simmered down until it consisted of John Adams alone. Hence the constitution is largely his handiwork.¹¹

One of the most difficult clauses for the convention was that concerning the support of public worship. The duty of all to worship the Supreme Being and to do it according to the dictates of his conscience, provided the public peace and worship of others was not disturbed, was adopted as Article II of the Declaration of Rights substantially as Adams wrote it.¹² Article III was entirely rewritten by the convention after long debates. In fact Adams did not write the original article here, as he thought "some of the clergy and graver persons than himself would be more likely to

⁸ *Journal of the Convention for Framing a Constitution, 1779-1780*, pp. 255-264.

⁹ *Result of the Convention of Delegates at Ipswich* (Newburyport, 1778).

¹⁰ *Appropriations for Sectarian and Private Purposes*, p. 16; Adams, IV, p. 213 ff.

¹¹ Adams, IV, pp. 213-218.

¹² Edition of 1780 is in *American Antiquarian Society Pamphlets*, 312.

hit the taste of the public." In fact Adams was far ahead of his time in his ideas of religious freedom and realized that his ideas could not possibly be accepted then. The original committee draft stated that because a morality based on religion was essential to civil society, the government ought to provide public worship and teachers of morals and religion at the expense of the subject if necessary, and enjoin the attendance of the subjects where they can conveniently and conscientiously attend. This draft made no sectarian limitations, and was broad enough to include Catholics and deists; but it would have permitted the legislature to determine what the religion to which the taxes of non-Christians should be devoted should be, by removing the old town vote as to what denomination the town should support.¹³ The latter was unsatisfactory to the Baptists and they managed to get it modified so that the legislature could only order the towns to support religion, and they could determine the type.¹⁴ As finally adopted the legislature was given the duty to authorize the towns to maintain public worship and public protestant teachers of piety, religion, and morality, that is clergymen. Taxes paid could go where the payer actually attended the worship of a regular society. No subordination of one sect or denomination could be established by law.¹⁵

¹³ Adams, IV, pp. 221, 222.

¹⁴ *Appropriations for Sectarian and Private Purposes*, pp. 16, 17.

¹⁵ Art. III is given in *American Antiquarian Society Pamphlets*, 312, as follows: "As the happiness of a people, and the good order and preservation of civil government, essentially depend on piety, religion and morality; and as these cannot be generally diffused through a community, but by the institution of the public worship of God, and of public instructors in piety, religion, and morality: Therefore, to promote their happiness, and to secure the good order and preservation of their government, the people of this commonwealth have a right to invest their legislature with power to authorize and require, and the legislature shall, from time to time, authorize and require, the several towns, parishes, precincts and other bodies politic, or religious societies, to make suitable provision, at their own expense, for the institution of the public worship of God, and for the support and maintenance of

Attempts were made in the debates to qualify the last clause by such limitations referring to Catholics as the following: "whose avowed principles are not inconsistent with the peace and safety of society," "being Protestants," and "except Papists." These were all rejected, as also a motion to expunge the whole third article.¹⁶ The result was that all sects were theoretically on an equal basis if they were Christian, and hence there could be no mere toleration necessary for some of them. But the state definitely required taxation for some Protestant church in each town, and in practice this would be almost universally the Congregational. The emphasis on teachers shows that the state intended this to be a part of the religious educational system of the state. Catechetical instruction was definitely a part of the work of the pastors. But in this form ratification was resisted by Baptists and all other liberals.¹⁷ It gave constant friction until the amendment of 1833, because non-Christians had to pay to the church determined by the town, and members of other churches had difficulty in getting their tax transferred. But as John Adams said at the Constitutional Convention at Philadelphia, "a change in the solar system might be expected as soon as a change in the ecclesiastical system of Massachusetts."¹⁸

public protestant teachers of piety, religion and morality, in all cases where such provision shall not be made voluntarily.

And the people of this Commonwealth have also a right to, and do, invest their legislature with authority to enjoin upon all the subjects an attendance upon the instruction of the public teachers aforesaid, at stated times and seasons, if there be any upon whose instructions they can conscientiously and conveniently attend."

It was further provided that towns, parishes, precincts and religious societies had the right to provide their own teachers. All taxes for worship or instruction might be applied where the payer actually attended such instruction. No subordination of one sect or denomination of Christians might be established by law.

¹⁶ *Journal of the Convention*, p. 46.

¹⁷ *A Manual for the Constitutional Convention*, 1917, pp. 22-25.

¹⁸ Louis S. Walsh, *The Early Irish Catholic Schools of Lowell, Mass.* (Boston, 1901), p. 6

The constitution dealt with educational institutions in Chapter V, Sections I and II. The former related to Harvard and confirmed the grants and privileges to the President and Fellows because the encouragement of education tended "to the honor of God, the advantage of the Christian religion, and the great benefit of this and the other United States of America."¹⁹ Other provisions of the section will be explained in connection with the relation of the state to Harvard. Section II was the original work of Adams, who had in mind particularly the fostering of learned societies and institutions for natural history.²⁰ This accounts for the fact that it is ethical and political rather than religious in tone. But there is absolutely nothing in it to prevent the state from cherishing and fostering religious education, and it must be remembered that a mere change in the form of constitution does not alter the real spirit of a people. The section has been preserved without change to the present.²¹

This constitution was ratified by the people and went into effect on the last Wednesday of October, 1780.²²

¹⁹ In *American Antiquarian Society Pamphlets*, 312.

²⁰ Adams, IV, p. 259.

²¹ Section II reads as follows:

"Wisdom and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties; and as these depend on spreading the opportunities and advantages of education in the various parts of the country, and among the different orders of the people, it shall be the duty of legislatures and magistrates, in all future periods of this commonwealth, to cherish the interests of literature and sciences, and all seminaries of them; especially the university at Cambridge, public schools and grammar schools in the towns; to encourage private societies and public institutions, rewards and immunities, for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and a natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and frugality, honesty and punctuality in their dealings; sincerity, good humor, and all social affections, and generous sentiments, among the people."

²² *Revised Laws*, I, p. 50.

While the spirit of the constitution and of the people in 1780 was devoted to the state support of religion and religious education, new ideas were percolating through the mind of the body politic. A clear statement of what is now attempted in the way of separation of church and state was the *Observations on the Importance of the American Revolution*, by Richard Price, D.D., LL.D., Fellow of the Royal Society of London and of the Academy of Arts and Sciences in New England, which was reprinted in Boston in 1784. Writing from a position distinctly favorable to Christianity, he maintained that state policy ought not to be devoted to the support of speculative opinions and formularies of faith, or doctrinal points. The state should take care of the present interests of men, their persons and property, and secular matters only; not of future interests, their souls, and ecclesiastical matters.²³

The official spirit appears rather from the annual messages of early governors. Governor John Hancock included in the means of education all institutions which had a tendency to aid the progress of knowledge and virtue and approved of various laws for the compulsory observance of religious practices and the maintenance of public teachers of piety, religion, and morality, as tending to promote the punctual performance of civil duties.²⁴ Likewise Governor Samuel Adams commended these laws, saying that while their ancestors in laying the foundations of civil liberty had in prospect the instruction of future youth in all literary science they considered morality and real goodness of heart

²³ Richard Price, *Observations on the Importance of the American Revolution* (Boston, 1784), especially pp. 7, 21, 22, 26, 27, 40, 41. His position will be clearer by the following excerpts.

"I am grieved, indeed, whenever I find any Christians showing a disposition to call in the aid of civil power to defend their religion. If it wants such aid it cannot be of God. The religion of Christ disclaims all connection with the civil establishments of the world. It has suffered infinitely by their friendship."

"In the United States may religion flourish. They cannot be very great and happy if it does not."

²⁴ *Laws and Resolves, 1792-1793*, p. 692.

as the great basis upon which the best interest of a nation could be safely laid.²⁵ And Governor Caleb Strong said in 1801: "By preserving them (these institutions) therefore we shall preserve the virtue and secure the happiness of the people."²⁶

Before considering the compulsory laws regarding religion, it will not be amiss to note the development of sects at the time. The newest element were the Catholics, who celebrated their first mass in 1788. A mission was established in Boston in 1790 and in 1803 the Protestants contributed to the building of a Roman Catholic church.²⁷ Public taxation for its support was of course unconstitutional. The Catholic churches developed without incorporation, all the property being held by the bishop of the diocese.²⁸ The Boston churches of 1794 were reported as Congregational, Episcopalian, Baptist, Quaker, Sandimanian, Universalist, Roman Catholic, and Methodist Episcopal.²⁹ Of the nineteen churches in 1800 there were ten Congregational, three Episcopalian, two Baptist, one Methodist, one Roman Catholic, one Universalist.³⁰

To make sure that all inhabitants were exposed to the ministrations of the teachers of piety, religion, and morality, a fine of ten shillings was imposed in 1782, against anyone who for one month without proper reason absented himself on the Lord's Day.³¹ Ten years later the permitted period of absence was extended to three months and thus the law stood until 1835.³²

By a law of 1786 qualified voters of a parish or precinct

²⁵ *The Independent Chronicle*, June 4, 1795.

²⁶ *Laws and Resolves*, 1800-1801, pp. 578-580.

²⁷ *Collections of the Mass. Hist. Soc.*, ser. 3, II, pp. 62-64.

²⁸ Buck, p. 126.

²⁹ *Collections of the Mass. Hist. Soc.*, ser. 1, III, pp. 256-266.

³⁰ Timothy Dwight, *Boston at the Beginning of the Nineteenth Century*, in *Old South Leaflets*, VI, p. 230.

³¹ *Perpetual Laws*, p. 199.

³² *Acts*, 1791, chap. 58, sec. 6. The date of *Acts*, *Laws* and *Resolves* frequently differs from the date of passage, as sessions date May.

were authorized to grant and vote money for the settlement and maintenance of ministers and public teachers of religion.³³ In 1800 towns, parishes, districts, precincts, and religious societies were required to be provided always with a public teacher.³⁴ Quakers had two years previously been exempted from all such taxes,³⁵ and by the law of 1800 they were specifically exempted from tax and taxes of those belonging and usually attending elsewhere might, if they were not Quakers, be transferred to that society. The assessors might omit the taxes entirely of this latter class.³⁶ In 1804 it was judicially determined that a Methodist minister must be "ordained and settled," not itinerant, in order to have the tax of his parishioners transferred to him.³⁷ Likewise were the decisions in *Barnes v. Falmouth* and *Lovell v. Byfield* that the minister of an unincorporated society was not a public teacher.³⁸ By these decisions the intent of the law and constitution were somewhat weakened, and to obviate the complaints of small unincorporated societies a law of 1811 was passed, granting the same rights to unincorporated as to incorporated societies, and to ministers whose parochial charge extended over several religious societies.³⁹ The constitutionality of this statute was upheld in *Adams v. Howe* in 1817 and a Baptist member of an unincorporated society received damages for the distraining and taking of his heifer for the support of the Congregational minister.⁴⁰

This was the legal situation when in 1820 the people voted for a constitutional convention, which met on November 15 of that year. There had previously been discussions relative to the amendment of Article III of the

³³ *Acts*, 1786, chap. 10, sec. 3.

³⁴ *Acts*, 1799, chap. 87, sec. 2.

³⁵ *Acts*, 1797, chap. 23.

³⁶ *Acts*, 1799, chap. 87.

³⁷ Buck, p. 41.

³⁸ 6 *Mass.* 401; 7 *Mass.* 230; Buck, pp. 42, 43.

³⁹ *Laws*, 1811, chap. 6.

⁴⁰ 14 *Mass.* 340-350.

Bill of Rights, and the subject gave the convention much trouble.⁴¹ At this time the religious population of the state was divided into societies approximately as follows: Congregationalist, 373; Baptist, 153; Methodist, 67; Friends, 39; Episcopalians, 22; Universalist, 21; others, 23.⁴² John Adams was on hand, though 85 years old, aiming to put all men of all religions on an equal plane before the law. But the conservative element would extend the equality to Christians only, and kept the feature of compulsory taxation for religion.⁴³ It was a conservative convention of Federalists and Democrats, and doubtless the people would not have permitted more radical changes.⁴⁴ The relation to Harvard will be discussed in connection with the relation of the state to that institution.

Because of the importance of the revision of the Bill of Rights a large committee was appointed to consider it, which reported that the principles of religious freedom and the support of public religious institutions were essential; all should pay somewhere but be free to choose the place; the power of the legislature to compel attendance should be annulled; and Christian should be substituted for Protestant teachers of piety, religion, and morality.⁴⁵

There was some opposition to even the changes proposed. Mr. Saltonstal of Salem would only change Protestant to Christian.⁴⁶ Mr. Hoar considered the proposed alteration pernicious and opposed to the fundamental principles of the government; it would make it impossible to tax the lands of non-residents anywhere and Congregationalists could change their church at will; religious instruction from the political point of view was as important as literary.⁴⁷

⁴¹ *Journal of Debates and Proceedings in Convention, 1820-1821* (Boston, 1853), pp. VI, VII, in note at beginning.

⁴² *Ibid.*, p. 558.

⁴³ Adams, IV, pp. 223-224.

⁴⁴ *A Manual for the Constitutional Convention, 1917*, pp. 28-33.

⁴⁵ *Journal of Debates and Proceedings*, pp. 32, 199-201.

⁴⁶ *Ibid.*, pp. 346, 347.

⁴⁷ *Ibid.*, pp. 352-355.

Mr. Tuckerman asked if Massachusetts schools would be what they were if independent of institutions for religious instruction.⁴⁸

Mr. Childs of Pittsfield proposed a substitute plan based on the principle that civil government depended on piety, religion, and morality and the institution of public worship was necessary. But people should have the right to choose whether they should join any society or none, and churches should tax members only, and all denominations should have the equal protection of the laws. This was more in line with Baptist principles.⁴⁹ Among those who argued that the state should not control religious matters or support religion were Mr. Phelps of Chester,⁵⁰ Mr. Baldwin of Boston,⁵¹ Mr. Williams of Beverly,⁵² and Mr. Dean of Boston.⁵³ But the plan of Mr. Childs was voted down in committee of the whole 161-221 and by the convention 136-246.⁵⁴

The article of amendment finally submitted extended support by taxation to all public Christian teachers of piety, religion, and morality and equally to incorporated and unincorporated societies; taxes could be transferred to the church where the payer attended, regardless of denomination; but non-resident proprietors had the latter privilege only when living in the state and attending a church of different denomination; and compulsory attendance was dropped.⁵⁵ Nevertheless the article was popularly rejected 19,547-11,065.⁵⁶ An amendment to the constitution was passed providing for a regular method of amendment by legislative proposals; so thereafter change was possible without a convention.⁵⁷

A further judicial interpretation of the law of 1811 was given in 1822, to the effect that the exemptions applied

⁴⁸ *Ibid.*, p. 361.

⁴⁹ *Ibid.*, pp. 346-347.

⁵⁰ *Ibid.*, p. 346.

⁵¹ *Ibid.*, p. 365.

⁵² *Ibid.*, p. 382.

⁵³ *Ibid.*, p. 384.

⁵⁴ *Ibid.*, pp. 393, 558.

⁵⁵ *Ibid.*, pp. 613, 614.

⁵⁶ *Ibid.*, pp. 633-634.

⁵⁷ *A Manual for the Constitutional Convention, 1917*, p. 37.

to any religious society, whether Christian, Jew, Mohammedan, or pagan, with no requirement that they should support a teacher or attend worship. The Court nevertheless expressed the opinion that the exemption was unwise and all should be compelled to contribute to public worship. But it added the observation that to compel a man to attend where he is dissatisfied was not likely to be profitable either for instruction or moral improvement.⁵⁸

Thus the situation continued until the ratification in 1833 of Article XI of Amendments, which had been submitted by the legislature. It changed Article III of the Bill of Rights so that religious societies were authorized to raise money for their pastors or religious teachers, for houses of worship, and for the maintenance of religious instruction. Only members were liable for the above.⁵⁹ Sentiment had now become almost unanimous for it, as it was carried 32,234-3,272.⁶⁰ No longer was attendance compulsory or payment compulsory for other than members. In conformity thereto the law was changed so as to confirm all privileges of churches except as changed by the amendment, and it provided that only the real and personal property of members could be taxed. All old laws for support were repealed.⁶¹ As a result Governor Edward Everett was able to say in his Inaugural in 1836:

"Taught by the wisdom of ages the mischief of an alliance of church and state, we have incorporated it into our system, as an article of our political faith, that religion is a concernment between the conscience of man and his creator, and exists in its greatest purity, when it rests upon the public sentiment of an enlightened community."⁶²

The history of the support of public Protestant teachers of piety, religion, and morality indicates that it was definitely regarded as a type of religious education, and not a

⁵⁸ *Holbrook v. Holbrook et al.*

⁵⁹ *Revised Laws*, I, pp. 42-43.

⁶⁰ *Sen. Doc. 3, 1834.*

⁶¹ *Laws, 1834*, chap. 183.

⁶² *H. R. Doc. 6, 1836.*

mere provision for worship. The close relation of the clergy to the schools and their frequent catechizing confirms this impression. But it is also in the light of this public support of the church that the law and practice of the public schools until the establishment of the Board of Education in 1837 must be considered. That date is practically coincident with the change in the Bill of Rights and marks a new era.

In considering the public aspects of religious education after the Revolution, it should be noted that it was at about this time that girls began to attend the public schools and hence to be included. In 1784 the Boston town meeting refused to take action to provide for the education of girls, in accordance with a report of the school committee that the overseers of the poor be authorized to give certificates for the payment of schoolmasters and schoolmistresses for instructing "the female children of a suitable age in common needlework."⁶³ But soon after this they began to attend. Northampton in 1788 refused to be of any expense in schooling girls, but four years later voted to admit them after the town was indicted for neglect.⁶⁴ In 1784 Dorchester permitted girls who could read in a Psalter to attend the grammar school, but only from the first of June to the first of October: Before this they had been admitted one afternoon per year at the general catechizing, to recite what they had learned at home or in dame schools.⁶⁵

For some years after the adoption of the constitution the colonial laws on education were not changed. The report of the Boston school committee to the town meeting in 1784 advised the selectmen to follow the law in regard to the approbation of private teachers and stated that much depended on the characters and moral conduct of instruc-

⁶³ *Boston Town Records*, in *Reports of the Record Commissioners of Boston*, XXXI, pp. 17-22.

⁶⁴ Bush, p. 395.

⁶⁵ Orcutt, p. 308.

tors. They commended the "wisdom, piety, and early care" of the fathers in providing for instruction.⁶⁶

It was in 1789 that a codification of the education law was enacted that was in force until 1827. The following paragraph has been retained in all codifications to the present and is sometimes referred to as the moral instruction law:

"The president, professors and tutors of the university at Cambridge and of the several colleges, all preceptors and teachers of academies and all other instructors of youth shall exert their best endeavors to impress on the minds of children and youth committed to their care and instruction the principles of piety and justice and a sacred regard for truth, love of their country, humanity and universal benevolence, sobriety, industry and frugality, chastity, moderation and temperance, and those other virtues which are the ornament of human society and the basis upon which a republican constitution is founded; and they shall endeavor to lead their pupils, as their ages and capacities will admit, into a clear understanding of the tendency of the above mentioned virtues to preserve and perfect a republican constitution and secure the blessings of liberty as well as to promote their future happiness, and also to point out to them the evil tendency of the opposite vices."⁶⁷

The phraseology of this law was symbolic of the tendency at this time, likewise manifested in the textbooks, to substitute a system of ethics and morality for the strict Calvinistic religious instruction which persisted throughout the colonial period. The spirit of French philosophy and the deistic ideas of some of the leaders of the time doubtless accounted for some of this. It was just after the period of constitution making when secular ideas of contract and natural rights were being put into practice in America. But the law in itself was one of those glittering

⁶⁶ *Boston Town Records*, in *Reports of the Record Commissioners of Boston*, XXXI, pp. 16-19.

⁶⁷ *Acts*, 1789, chap. 19, sec. 4.

generalities characteristic of this period of declarations and bills of rights crammed with wordy statements of political philosophy and written with little thought of their harmony with present conditions or possibility of enforcement. Thus it is not to be expected that the law changed immediately the customary practice in the scattered schoolhouses of the Bay State. There was no specific exclusion of religious education and in fact it has gone on under it ever since. It appears also to have been mandatory by the law, which included the word piety. This has usually been interpreted in a Christian community to mean the broad principles of the Christian religion.

The law of 1789 further required compulsory schools and compulsory supervision, but not compulsory taxation or compulsory attendance. Hence the religious education could be escaped by not attending the public schools, but it must be remembered that all teachers, public and private, were required to teach piety. Doubtless this would not include the parent. The law did not authorize towns to tax for schools, but doubtless because of the earlier doctrine that towns possessed inherent corporate powers, which they were already exercising. If a school fund was sufficient, taxation was not necessary; if not, all might be taxed for the religious education of the schools. But this was of little significance when the same was true of public worship. It was required that every town of fifty families should have a schoolmaster of good morals to teach children to read and write and to instruct them in the English language, arithmetic, orthography, and decent behavior, for six months in the year. The grammar school requirement was weakened so that it was only required that towns of two hundred families should provide a grammar schoolmaster of good morals to teach Latin, Greek, and English. The ministerial influence on the schools was strong, although until 1811 the old prohibition of considering settled ministers as schoolmasters was retained.⁶⁸ All grammar school-

⁶⁸ *Acts, 1789*, chap. 19, sec. 5; *Laws, 1811*, chap. 83.

masters had to have a certificate of proficiency in Latin and Greek from the learned minister of the town or two others near by and a certificate of moral character from a minister or the selectmen or committee. The ministers and selectmen were required to use their influence so that the children would regularly attend, and to inspect the schools. A district could substitute a committee if it chose. Plantations, parishes, and precincts were authorized to tax. Private teachers had to have a certificate from the minister that they were of sober life, and it was their duty to instill a sense of piety and virtue, and train in decent behavior.⁶⁹

Slight financial changes were later made in the law, as when in 1800 school districts were authorized to tax for buildings and utensils,⁷⁰ and in 1817 they were made bodies corporate and authorized to take and hold real and personal property donated for the support of schools.⁷¹

If we look beneath these state laws to the practice of the towns, we find there was still considerable religious instruction. The system of schools for Boston in 1789 included one school for the rudiments of Latin and Greek and to fit for the University, three writing schools of both sexes for writing and arithmetic, and three reading schools for both sexes. Girls were admitted from April 20 to October 20, and attended alternately with the boys in the two types of elementary schools. A school committee of twelve was then provided for in addition to the selectmen. The following record of the action of this committee is pertinent:

“December 14, 1789.

Voted, That it be the indispensable duty of the several schoolmasters, daily to commence the duties of their office by prayer and reading a portion of the sacred Scriptures,

⁶⁹ *Acts*, 1789, chap. 19, sec. 1, 5, 51, especially.

⁷⁰ *Acts*, 1799, chap. 67.

⁷¹ *Laws*, 1817, chap. 14.

at the hour assigned for opening the school in the morning; and close the same in the evening with prayer.”⁷²

Two weeks later the committee agreed to this vote:

“That the several schoolmasters instruct the children under their care, or cause them to be instructed, in the Assembly’s Catechism, every Saturday, unless the parents request that they be taught any particular catechism of the religious society to which they belong; and the masters are directed to teach such children accordingly.”⁷²

This required a sectarian religious instruction, but gave the parents an option as to the type. A further sign of the times is the suggestion of an anonymous writer in 1794 that perhaps the public monies could not be appropriated to a more useful design than to establish Sunday Schools, particularly for poor children who worked weekdays or had no decent clothes for church. This was just ten years after Raikes had established the institution in Gloucester, England, and one had been established in Boston in 1791. Of course the original Sunday School taught the three R’s as well as religion, but this writer suggested that the school committee might appoint hours for the children to attend and that portions of Scripture should be read and explained. It appears that the ministers were then crowded off the Boston school committee by “gentlemen of science.”⁷³ About 1811 morning prayers were still the rule in the Boston Latin School.⁷⁴

In 1826 a considerable proportion of the Boston pupils were in private schools, but it is unlikely that religion had any effect on this. There were then nine grammar schools, nine writing schools, the Latin School, the Boys English High School, the Girls English High School, and two Houses of Industry, with a total of 7,044 pupils. The registration in private schools was 3,392.⁷⁵

⁷² *The System of Public Education Adopted by the Town of Boston, 15th Octob., 1789*, bound in *American Antiquarian Society Pamphlets*, 10.

⁷³ Collections of the Mass. Hist. Soc., ser. 1, III, pp. 266–267.

⁷⁴ Jenks, p. 46.

⁷⁵ *State of Boston Schools, May, 1826*.

Ipswich in 1792 adopted an order for religious instruction of a sectarian character which continued effective until the law passed in 1827 prohibiting it. It required constant use three or four times a week of the "Catechism of the Assembly of Divines with Dr. Watts's explanatory notes, and the Catechisms by the same author" until they were committed to memory.⁷⁶

A record in the books of the Roxbury Grammar School in 1803 reads as follows:

"Chose the Rev. Mr. E. Porter a committee to provide a catechism for the school, who was desired to request the assistance of Master Prentiss."⁷⁷

The Dorchester rules of 1810 recommended rather than required that instructors daily lead in devotional exercises, and stated that suitable attention to morals and instruction in the principles of religion was expected. They were to repeat hymns and other lessons tending to promote religion and virtue, at the discretion of the master. Children who brought a catechism with a written request of their parents were to spend part of Saturdays reciting it.⁷⁸ This shows considerable weakening of the compulsory religious instruction previously customary. But even after this it was the custom of the teachers to march their charges on the last Friday of each month to the First Church of Dorchester to hear the preparatory communion lecture of the Unitarian Dr. Thaddeus Harris.⁷⁹ After 1825 the custom persisted of excusing the children if parents requested or of dismissing school if the teacher wished to attend the above lecture. Previous to 1827 the event of the minister coming to school to catechize was taken by the teacher to mean a holiday for him.⁸⁰

Further light on the conditions in our period may be gained from Warren Burton's school career. He entered school at the age of three and a half and left at ten. He

⁷⁶ Felt, *History of Ipswich, Essex, and Hamilton*, p. 89.

⁷⁷ Dillaway, p. 76.

⁷⁹ Holtz, p. 38.

⁷⁸ Orcutt, p. 333.

⁸⁰ Orcutt, p. 344.

tells us that when his dear Mary Smith closed the summer session "she gave us much parting advice about loving and obeying God, and loving and doing good to every body." On the last day of the winter term the minister attended and examined the children and dismissed them with prayer. There is no reference to study or examination in the catechism.⁸¹

Until the end of the first quarter of the century the religious element was therefore prominent in the schools but was gradually becoming weaker and less sectarian. But the catechetical instruction had not entirely disappeared from the elementary schools. A study of the textbooks in use makes this clearer.

The Bible had not yet disappeared as a reading book. After 1789 there was still the system of promotion through *Primer*, *Psalter*, and *Testament*.⁸² About 1790 "each one read one verse from the Bible or a sentence from Webster's *Spelling Book*," says General Henry K. Oliver regarding his early education in Boston.⁸³ The list of books adopted by the school committee in 1789 was as follows: *The Holy Bible*; Webster's *Spelling Book*, or the first part of his *Institute*; *The Young Lady's Accidence*; Webster's *American Selection of Lessons in Reading and Speaking*, or the third part of his *Grammatical Institute*; *The Children's Friend*, if expedient. It was also suggested that newspapers be introduced occasionally.⁸⁴

At the beginning of the nineteenth century the Bible remained at the head of the list and there was much memorizing of Bible verses. As a New England farmer said: "The Bible and figgers is all I want my boys to know."⁸⁵

⁸¹ Warren Burton, *The District School as it Was* (Boston, 1852), esp. pp. 37, 80, 141-147.

⁸² Johnson, p. 101.

⁸³ Holtz, pp. 49-50.

⁸⁴ *The System of Public Education Adopted by the Town of Boston*, 15th Octob., 1789.

⁸⁵ G. H. Martin, *Boston Schools 100 Years Ago*, in *New England Magazine*, XXVI, 1902, pp. 628-642.

The Visitation Committee of Boscawen and Webster reported in 1809 that the catechism and Bible were used in most of the schools, but not universally.⁸⁶ According to Warren Burton he first took with him to school Perry's *Only Sure Guide*. Other books in use in the schools were the *Young Lady's Accidence*, Murray's *Abridgement*, Scott's *Lessons*, Adam's *Understanding Reader*, *The American Preceptor*, *The Columbian Orator*, *The Art of Reading*, Scott's *Elocution*, and Webster's *Third Part*. With reference to the use of the Bible he says:

"The Bible, particularly the New Testament, was the reading twice a day, generally, for all the classes adequate to words of more than one syllable. It was the only reading of several of the younger classes under some teachers. On this practice I shall but make a single remark. As far as my own experience and observation extended, reverence for the sacred volume was not deepened by this constant but exceedingly careless use."⁸⁷

The school committee report of Leicester in 1849 speaks of the good old days of Dilworth's *Spelling Book*, the *Only Sure Guide*, the *Understanding Reader*, and Scott's *Lessons*.⁸⁸

In the period under consideration, therefore, it is clear that the Calvinistic *New England Primer* played little part and that the use of catechisms was also fast disappearing. The Bible was less slowly being replaced as a regular reader, and even then was read as a daily devotion or otherwise. But it should be remembered that the older customs doubtless persisted longer in the out-of-the-way, sparsely settled districts. During the period there was a rapid production of the new readers and spellers, but the force of inertia naturally kept the older ones in many of the schools. We shall now examine some of these books which we have

⁸⁶ Holtz, p. 54.

⁸⁷ Burton, pp. 26-29, 47, 50, 63, 76.

⁸⁸ Report of the School Committee of the Town of Leicester, 1849-1850, p. 22.

found in use in the schools and others published in Massachusetts which must have found their way into some of the schools.

*The Young Lady's Accidence*⁸⁹ by Caleb Brigham was one of the early books of the period. It had gone through twenty editions by 1815. It was an English grammar with no religion, except that the later editions have a few Bible selections interspersed for parsing.

*The New American Spelling Book*⁹⁰ was edited and printed at Worcester by Isaiah Thomas in 1785. Apple here replaces Adam in his imitation of the *Primer* picture alphabet. The book consists mainly of words to spell, but all sentences are of a religious or moral character. There are also moral tales and fables, the *Westminster Shorter Catechism*, the Lord's Prayer, and a creed and hymn.

It was at this period too that the popularity of Dilworth's speller was eclipsed by Noah Webster's *American Spelling Book*.⁹¹ The Webster books were also known as the *Grammatical Institute of the English Language*,⁹² in three parts first appearing in 1782, 1783, and 1784 respectively. The preface states that most of the schools have previously used the Bible, but that the style is not adapted to the present and it prostitutes divine truth to use it thus and the student gets disgusted with the Bible. It is suggested that it would be better to read and explain it religiously two or three times a week than to have the boys make sport of it. The selections which he gives for reading are for morals as much as for knowledge and incidentally there is some religious content imparted, but not much. It is claimed that about two thirds of the people of the United States studied his *Spelling Book* about 1800. The edition of 1789 consists mainly of single words to spell, but has about six pages

⁸⁹ Caleb Bingham, *The Young Lady's Accidence* (Boston, 1785).

⁹⁰ *The New American Spelling Book*, Isaiah Thomas, ed. (Worcester, 1785).

⁹¹ Noah Webster, *The American Spelling Book* (Boston, 1789).

⁹² Noah Webster, *Part II of Grammatical Institute* (Hartford, 1784); Noah Webster, *Part III of Grammatical Institute* (Hartford, 1785).

of Bible quotation. There is a selection beginning "My son, hear the counsel of thy father, and forsake not the law of thy mother"; but the source of this is not mentioned. It includes "Our Savior's golden Rule" and *The History of the Creation of the World*, based on Genesis, but including the idea of the omniscience of God. A further Webster book was *The Little Reader's Assistant*,⁹³ which contained no religion, but historical stories, English grammar simplified from *Part II of the Grammatical Institute*, and the principles of government, commerce and agriculture.

A famous book which appeared in 1794 and is said to have been printed to the extent of 640,000 copies by 1832 was Caleb Bingham's *American Preceptor*.⁹⁴ Omitting romantic fiction and tales of love, it explains that "moral essays have not been neglected; yet pleasing and interesting stories, exemplifying moral virtues, were judged best calculated to engage the attention and improve the heart." This marks a wide departure from the spirit of the *New England Primer* and the Puritan philosophy, and ushers in the long period when people feared indelicacies much more than the Puritans and every story had to point a moral. There are two pages entitled *Sublimity of the Scriptures* and giving quotations from Habakkuk and Revelation. Paul's speech before King Agrippa appears beside speeches of Demosthenes, Marius, Brutus, Pitt, and Cicero.

A still more popular book of the same period was Perry, *The Only Sure Guide to the English Tongue*,⁹⁵ of which Isaiah Thomas states in the 1804 edition that 300,000 copies had already been sold. The 1786 edition starts with pronunciation and lists of words to spell, followed by easy lessons for reading which are at the beginning all distinctly religious. There are fifteen pages of moral tales and fables

⁹³ Noah Webster, *The Little Reader's Assistant* (Hartford, 1791).

⁹⁴ Caleb Bingham, *The American Preceptor* (Boston, 1797, 4th ed.).

⁹⁵ W. Perry, *The Only Sure Guide to the English Tongue* (2d Worcester ed., 1786; 10th imp. ed., 1804; new imp. ed., Boston, 1823).

which are naturally not religious. Religious poems were added in 1804. In an addition of 1823 there were more reading lessons, largely religious in character. In one of these a son asks for a story of a bloody murder. His father tells how 20,000 men killed 10,000. The child cannot understand, but finally says:

"O, now I have found you out! You mean a battle."

"Indeed I do. I do not know of any murders half so bloody."

An English book intended for the use of Sunday Schools which was less used in Massachusetts was *The Childs First Book*.⁹⁶ The alphabet is taught by having large type letters on a page with the sounds given on the opposite page. There are many pages of letter combinations and various kinds of type for drill. All the reading is then of a religious character, and the book concludes with prayers, a creed, and similar matter. Editions were published in Boston in 1810 and 1816.

The opening of the new century was marked by a rapid production of new reading books. One of the earliest was by Daniel Stamford, entitled *The Art of Reading, calculated to improve the Scholar in Reading and Speaking with Propriety and Elegance and to impress the Minds of Youth with Sentiments of Virtue and Religion*.⁹⁷ The book had twenty of two hundred thirty-two pages devoted to comment on the Scriptures and interpretation of them. It contained famous addresses, descriptions, and some moral treatises.

A book of the same period was Temple, *The Child's Assistant*,⁹⁸ to be used between a speller and *The American Preceptor*. It claims that the selections are intended "to prompt the mind to a love of virtue, and universal benevolence." It consists of short numbered paragraphs without

⁹⁶ J. F. Schoolmaster, *The Childs First Book* (Newcastle, Eng., 1794).

⁹⁷ Daniel Stamford, *The Art of Reading* (Boston, 1800; 12th ed., 1817).

⁹⁸ Samuel Temple, *The Child's Assistant* (6th ed., Boston).

illustrations, Bible quotations, religious sentiments, the life of Washington, and moral maxims.

A book which went through innumerable editions was Lindley Murray's *English Reader*.⁹⁹ It contained no direct biblical or catechetical material, but many articles on religion, or adaptations from the Bible. The tone was religious and the aim was stated as "to inculcate some of the most important principles of piety and virtue."

An important Massachusetts reader was *The Understanding Reader*,¹⁰⁰ which was an exception in that the preface contained nothing in relation to religion. But the tone was moral and religious and it contained quotations from the Bible relating to the defense of Esther and the defense of Paul, and the resurrection of Christ. There were also selections from Franklin, Goldsmith, and others, and a sermon. A little scientific material appears in the form of descriptions of natural history.

*The Columbian Spelling Book, and Children's Friend*¹⁰¹ claims to have reading lessons so selected "that while they insensibly conduct the learner to a knowledge of letters, they will be found to contain such morals, as will lead him to a love of virtue." It has a very little religion, as "Pray to God" and "Do to others as you wish they should do to you." It consists almost entirely of easy dialogues on minerals, geography, and some moral ideas.

Strong's *Common Reader*,¹⁰² copyrighted in 1818, was of a more religious spirit and was recommended by Rev. William Allen, formerly president of Dartmouth, and the chancellor of Brown and the bishop of the Eastern Diocese, for its moral and religious principles. The author advises morning and evening prayer in the schools and gives forms of prayers for each. There are Bible quotations, religious topics, and some lighter reading.

⁹⁹ Lindley Murray, *The English Reader* (3d Phila. ed., 1801).

¹⁰⁰ Daniel Adams, *The Understanding Reader* (Leominster, 1803).

¹⁰¹ *The Columbian Spelling Book, and Children's Friend* (Providence, 1819).

¹⁰² T. Strong, *The Common Reader* (2d ed., Greenfield, 1819).

A good example of the religious spirit which still pervaded the school books is found in *Butler's Sketches of Universal History Sacred and Profane, from the creation of the world, to the year 1818*.¹⁰³ The author states that his purpose was to show that one supreme, omnipotent, eternal God created the universe, and that his wisdom regulates and controls all events. It is based largely on Old Testament prophecy, and shows how the Jews were happy under theocracy and how licentious ambition has ruined other powers. The first object through the whole work was to show the influence and importance of religion.

Noah Worcester's *Friend of Youth*¹⁰⁴ states that its purpose is to imbue the young with sentiments of piety, humanity, and universal benevolence, and with just conceptions of God. There are two numbers from the discourses of the Savior and a religious tone in most of it, with some descriptions of natural things.

*The Female Speaker*¹⁰⁵ was a recognition of the particular interests of girls and protested against teaching them several foreign languages. It had more of a moral than religious tone throughout, but had a number of biblical quotations and some didactic material on religion.

An unique attempt at the production of a textbook was *The Franklin Primer*¹⁰⁶ composed and published in 1826 by a committee of the School Convention of Franklin County. It uses pictures to teach the alphabet, as "B is for Bell," and contains no religious material except two compositions showing conversations between a mother and her daughter on retiring and arising and giving the prayers that Lucy uses. This was in marked contrast to the old *New England Primer* with its catechism and Calvinism.

That the elimination of the religious spirit from the textbooks of the day was not meeting universal approbation

¹⁰³ F. Butler, *Sketches of Universal History* (Hartford, 1818).

¹⁰⁴ Noah Worcester, *The Friend of Youth* (2d ed., Boston, 1823).

¹⁰⁵ Anna L. Barbauld, *The Female Speaker* (Boston, 1824).

¹⁰⁶ *The Franklin Primer* (21st ed., Greenfield, 1836).

is evident from a letter to the editor of the *Boston Recorder* by a clergyman, in recommendation of some new school book, because it could serve as Sabbath reading to the most advanced Christian to his edification, and the popular school books were not worthy of being the sole companions of the Bible in the family library, as was so often the case.¹⁰⁷ At any rate the catechism, creed, hymns and most of the Biblical material had now been replaced by moral and scientific material in the newest books. But of course the older books persisted in use and the catechism was probably still studied in some remote schools where the people were still of one creed.

In the secondary field the Latin schools were decadent in the first quarter of the century and the high schools had hardly started. The Latin schools appeared to have been gradually dropping the religious content and the religious exercises. In 1789 the books adopted by the school committee for the Latin Grammar Schools of Boston were religious in character and showed little change from the earlier period. The list included Cheever's *Accidence*, *The Colloquies* of Corderius, *Selectae e Veteri Testamento Historiae*, Castalio's *Dialogues*, and the *Greek Testament*.¹⁰⁸ By the end of the first quarter of the century, the *Greek Testament* studied in the last two years was the only religious book left, and Saturday was the only day in which all the school joined in any religious or literary exercise.¹⁰⁹

It was at about this time that a new interest in education was taken under the leadership of James G. Carter and that a complete re-enactment of laws on education occurred. Carter advocated a democratic system of education with practice training schools for teachers for the elementary schools, in opposition to the more aristocratic academies,

¹⁰⁷ *Boston Recorder*, Jan. 26, 1822, p. 15.

¹⁰⁸ *The System of Public Education Adopted by the Town of Boston*, 15th Octob., 1789.

¹⁰⁹ *The Prize Book of the Publick Latin School in Boston*, 1823, No. IV (Boston, 1823); Jenks, pp. 63-64.

which served a relative few.¹¹⁰ There were in 1826 117,186 pupils attending the public schools and the estimated number in private schools was 25,083.¹¹¹ Carter also led the agitation for a state board and for a better system of licensing teachers. While once the ministers were the only learned profession and it was proper to leave the licensing to them, conditions had now changed so that when there were many ministers in a town it was not clear which should do it. He believed the qualifications of teachers should now be settled by others, but the religious reason of securing orthodoxy does not seem to have then been at all at issue. Carter was not opposed to a religious influence in the schools, for he says with reference to the selection of teachers:

"It becomes then of momentous concern to the commonwealth, in a moral and religious as well as in a political point of view, that this influence should be the greatest and best possible."¹¹²

That his ideal of education was religious further appears from his *Letters to the Hon. William Prescott on the Free Schools of New England, with Remarks on the Principles of Instruction*, which appear to contain some traces of deistic philosophy:

"Science, philosophy, and religion will then be blended with their very natures, to grow with their growth and strengthen with their strength. The whole earth will then constitute but one beautiful temple, in which may dwell in peace all mankind; and their lives form but one consistent and perpetual worship."¹¹³

From the standpoint of religious education the most important feature of the educational law of 1827 was that relating to the power of school committees over school books and the prohibition of the introduction of books of a sectarian

¹¹⁰ Barnard, *American Journal of Education*, V, pp. 412-416.

¹¹¹ *H. R. Doc. 34, 1827.*

¹¹² *Old South Leaflets*, VI, pp. 217-219.

¹¹³ Barnard, *American Journal of Education*, V, p. 412.

character. We have seen that up to this time catechetical study had been common in the schools. The Unitarian group had only been definitely in existence for a short time and the doctrines of the Orthodox Congregationalists and the Baptists, Episcopalians, and Methodists were sufficiently similar so that there was little friction over the teaching of the common doctrines of the gospel. E. A. Newton asserts that the Assembly's *Catechism* was recited every Saturday afternoon in most of the schools of the state.¹¹⁴ But he was an ardent Episcopalian of Pittsfield where the old traditions were stronger than in the East, and doubtless his desires colored his interpretation of facts. Horace Mann claimed it had been discontinued in many places at the beginning of the century, and that before 1837 it had been mainly discontinued in the nine eastern counties, having been objected to by the Baptists.¹¹⁵

Before the passage of this law there had been no provision of law as to who should determine what books should be used in schools and the whims of teachers resulted in what was considered too great a variety.¹¹⁶ Hence it was provided in the law that the school committee of each town should direct and determine the class books to be used. To this was added, as a precaution against undue sectarian influence, the following clause:

"Provided, also, that said committee shall never direct any school books to be purchased or used, in any of the schools under their superintendence, which are calculated to favour any particular religious sect or tenet."¹¹⁷

It does not appear that in effect this law produced or was intended to produce any radical change. Samuel W. Burnside of Worcester was a member of the legislature, and at the request of the Committee on Education drew the bill in almost substantially its permanent form and sponsored

¹¹⁴ *The Christian Witness and Church Advocate*, May 17, 1844, p. 51.

¹¹⁵ *The Christian Register*, June 22, 1844, p. 95.

¹¹⁶ *The Christian Register*, June 15, 1844, p. 91. Letter by Foster.

¹¹⁷ *Laws, 1826*, chap. 143, sec. 7.

it in the House and watched it through the Senate. The bill was unanimously approved by the Committee without regard to denomination and a majority were probably orthodox. It was passed almost unanimously in the House. The general understanding was at the time that dogmatic theology had ceased to be taught in the schools, and that it ought to be excluded; that all could agree on points which were not sectarian, and as the children grew older they could themselves settle matters of doctrinal dispute to their own satisfaction. It did not refer merely to matters of church government and discipline, but intended to exclude doctrinal subjects and merely legalized the existing system.¹¹⁸

In 1844 in the midst of the school controversies of Horace Mann, E. A. Newton, an Episcopalian of Pittsfield who had previously been on the Board of Education, made the point that the law was due to the influence of the small but powerful Unitarian group, which had in the early part of the nineteenth century become a distinct denomination. Continuing Newton claimed:

"No one thought much of this enactment, until the establishment of the Board of Education, ten years afterward. It was not construed to mean the exclusion of religious teaching, in the great doctrines of the gospel; this had given no offence for two hundred years to the religious denominations making together the great body of the people; it was interpreted to mean, if to be operative, the exclusion of ecclesiastical systems of church government and discipline, but as these had never been obtruded so as to disturb the public repose, no danger was apprehended from them, and religious teaching, as here understood, continued to be practiced in our schools."¹¹⁹

¹¹⁸ Samuel M. Burnside to Horace Mann, June 4, 1844. Copied in *The Common School Controversy* (Boston, 1844) from the *Worcester Aegis* pp. 48-50. Hon. Emory Washburn, who was also in the legislature when the law was passed, and orthodox, agreed to the statement of the origin and meaning of the law.

¹¹⁹ *The Christian Witness and Church Advocate*, May 17, 1844, p. 51.

The publication of this interpretation of the law and the circumstances of its passage and its effect led to a strong chorus of disapproval. Doubtless Unitarians favored the bill, as we know that Horace Mann was then in the legislature and worked for it. He was a Unitarian. But since the bill was almost unanimously passed it must have had the support of the orthodox also. It might as well have been proposed by a Baptist, Quaker, Episcopalian, or orthodox Congregationalist, as "Civis" suggested in the *New England Puritan*, adding that Episcopalians would object to *Punchard on Congregationalism* or *A Church without a Bishop*.¹²⁰ In Burnside's letter previously referred to Newton's interpretation was refuted and, in regard to the practice since, the writer believed that the situation in Worcester was like that throughout the state. There all the clergy except the Methodist had been on the school committee and had harmoniously required teachers to give religious instruction but had enjoined them to abstain from doctrines. About 1834 a committee of all the clergy reported on religious instruction in the public schools, making no hint of any doctrinal instruction, but recommending the great truths of revelation and Christian morality, about which there was no controversy.¹²¹ Horace Mann considered Newton's interpretation of the law of 1827 original and incorrect.¹²²

The probability is that the law was regarded more as a safeguard against unwise forcing of the views of a particular denomination by some school committee which might chance to be of one denomination than as an attempt to alter current practice. If the new power had not been given to determine the books, the question of books on religion would not have been thought of. It should be noted that the law actually prohibited only the use of books; oral instruction by the teacher in particular de-

¹²⁰ *The Common School Controversy*, pp. 50-52.

¹²¹ *The Common School Controversy*, pp. 48-50.

¹²² *The Christian Register*, June 22, 1844, p. 95.

nominal tenets would not violate it, though doubtless it would violate the spirit of it. Despite later controversy as to its meaning, there has never been a judicial determination of it. It certainly would prohibit the use of catechisms and similar compendiums, but books like *Evidences of Christianity* were used freely under it. Confucianists, Buddhists, and Mohammedans were not present in Massachusetts to insist that the Bible was as sectarian as *The Four Books*, *The Veda*, or *The Koran*. Jews had not increased since the Revolution and the Catholic population was as yet insignificant. Hence sectarianism then meant the minor differences which determine the Protestant sects, and not the larger body of Christian principles which they held in common. There was not the slightest intention of excluding religious instruction in these broad principles, and doubtless more of it then went on under the law than before. Besides, the clause carried no penalty and there was no state officer particularly charged with the administration of it. The conscience of the committeeman was the only policeman.

Financial provisions were also made by the law of 1827 and subsequent laws which involved all taxpayers in the support of religious education and committed the state itself to the partial support of the common schools. By the law the several towns under penalty of twice the highest sum ever voted were "authorized, empowered, and directed" to tax for schools.¹²³ For the first time taxation of all was mandatory. The Massachusetts School Fund was established in 1834. It was limited to \$1,000,000 and was to be derived from the sale of land in Maine and from the claims of Massachusetts on the United States for military purposes. The income was to be appropriated only to common schools, and no school unit was to receive more than as much as they raised by taxation.¹²⁴ From this fund special appropriations for the schools of the Mashpee,

¹²³ *Laws, 1826*, chap. 143, sec. 4, 19.

¹²⁴ *Laws, 1834*, chap. 169.

Chappequiddick and Christiantown, Gay Head, and Herring Pond Indians,¹²⁵ continued to be made until the Federal statute of 1870, after which these Indians changed from the tribal state to citizenship and the appropriations were made directly to the towns.¹²⁶ During this period there were also frequent acts of incorporation of trustees of the ministerial and school funds which accrued from the sale of the lands reserved for the ministers and schools in the incorporation of the towns. It was specified that the trustees could never alter the purpose. The special act for Sweden in 1820 is a case in point.¹²⁷ The case of *Lanesborough v. Curtis* in 1839 concerned a similar sale of the ministerial land in Lanesborough and the court upheld a legislative resolve that the Baptists as well as the Congregationalists and Episcopalians should share in the income of the fund.¹²⁸

A less important provision of the law of 1827 was that the school committee in the towns should be selected at town meeting, and that they should require evidence of the good moral character of teachers.¹²⁹ The old provision that the ministers should have a part in the licensing of schoolmasters was therefore repealed in line with the ideas of James G. Carter. It appears to have been dictated solely from the standpoint of school efficiency and without reference to possible religious implications. Ministers continued to serve on school committees very uniformly.

The period under consideration was the one during which the modern high school passed through its formative development. The Latin Grammar Schools had declined in importance with the growth of academies and because their narrow language curriculum did not appeal to the commercial classes. The democratic wave of the early twentieth century demanded a type of school supported by public

¹²⁵ *R. S.*, chap. 23, sec. 68; *Laws*, 1837, chap. 85; *Laws*, 1838, chap. 154; *Acts*, 1839, chap. 56, sec. 3, 4, 5.

¹²⁶ *Acts*, 1870, chap. 350.

¹²⁸ 22 Pick., 320-332.

¹²⁷ *Laws*, 1819, chap. 273.

¹²⁹ *Laws*, 1826, chap. 143, sec. 5.

taxation which would appeal more largely to a larger proportion of the citizenry. The state laws on compulsory higher schools also made it necessary for the towns to make better provision than they had been doing.

Though the towns had been very negligent, Dedham in 1819 was presented by the grand jury for being a town of two hundred families without a grammar schoolmaster as required by the law of 1789. A divinity graduate of Harvard and college students at Harvard and Brown had been employed without certificate, but there had been no separate grammar schools in the town. It was held in the case that a certificate from ministers must be produced and that all the schools of the town must be grammar schools, with regulations for admission of pupils.¹³⁰ A few years later the law was greatly weakened by requiring only an elementary school, unless the town had a population of over five thousand.¹³¹ In the law of 1827 a schoolmaster for United States history, geography, geometry, algebra, and such subjects was required if there were over five hundred families; while places of over four thousand population were required to teach Latin, Greek, history, rhetoric, and logic.¹³²

It was under the requirements of this statute that the high schools were established. Boston took the lead in 1821. On October 26, 1820, the school committee voted that it was expedient to establish an English Classical School, for boys exclusively, to prepare more particularly for mercantile and mechanical professions. The curriculum for the highest class was to include moral and political philosophy, and it was believed that its establishment "would give strength and stability to the civil and religious institutions of our country."¹³³ As the girls were here

¹³⁰ *Commonwealth v. Inhabitants of Dedham*, 1819.

¹³¹ *Laws*, 1823, chap. III.

¹³² *Laws*, 1826, chap. 143, sec. I.

¹³³ *Proceedings of the School Committee of the Town of Boston, respecting an English Classical School*, 1820.

excluded, it fell to the lot of Worcester in 1824 to establish the first known public high school for girls.¹³⁴ Boston gave the first examination for admission to such a school on February 22, 1826, but the school was soon discontinued. They were to be instructed in everything taught in the public grammar and writing schools. About 1836 a committee reported that the girls should study moral philosophy in the grammar schools and remain longer in them as a substitute for the building of a high school.¹³⁵

The extent of high school development prior to 1838 is indicated by the following list:¹³⁶

Boston, 1821	Northampton, 1835
Worcester, 1824	Waltham, 1835
Plymouth, 1827	Ipswich, 1836
Salem, 1827	Scituate, 1836
New Bedford, 1827	Marblehead, 1836 or 1837
Springfield, 1828	Ashburnham, 1837?
Randolph, 1829	Foxborough, 1837?
Lowell, 1831	Lanesborough, 1837
Newburyport, 1831	Leominster, 1837
Medford, 1835	Newton, 1837

The curricula established in these high schools was similar in its religious content. In the Boston English Classical School in 1823 the curriculum included branches of moral philosophy and *Evidences of Christianity* and Paley's *Natural Theology*.¹³⁷ In Worcester the girls were using the *English Reader*, the Bible, and the *Young Lady's Class Book*.¹³⁸ When an advertisement was run in the *Columbian Centinel* for a master for the high school for girls in Boston

¹³⁴ A. J. Jones, *Early Schools of Worcester, Mass.*, in *Ed. Adm. and Superv.*, IV, Oct. 1918, pp. 417 ff.

¹³⁵ *Report to the Common Council on the Subject of a High School for Girls*. (undated).

¹³⁶ Grizzell, p. 94.

¹³⁷ *Prize Book of the Publick Latin School in Boston*, IV, pp. 18-20.

¹³⁸ Jones, p. 417 ff.

it specified that the master would be expected to teach moral philosophy and *Evidences of Christianity*.¹³⁹ The course as adopted showed in the second year Paley's *Natural Theology*, and in the third year Paley's *Moral Philosophy* and Paley's *Evidences of Christianity*.¹⁴⁰ The purpose of the Lowell High School in 1832 was expressed as to prepare for college and fit others in the branches of a good English education. All were required to take the prescribed course, except that a sub-committee was authorized to excuse from authors or parts of authors if the student could not do it all in the required time. In the Classical Department the Gospels were read in Greek. In the English Department the subjects included *Natural Theology*, *Moral Philosophy*, *Natural Philosophy*, and *Evidences of Christianity*.¹⁴¹ Newburyport in the same year had exactly the same subjects of this type, except that natural philosophy was omitted.¹⁴² The English Classical School of Boston in 1833 included Paley's *Natural Theology*, with Paxton's *Illustrations*; Paley's *Moral Philosophy*; and Paley's *Evidences of Christianity*. In the Latin Grammar School at this time the *Greek Testament* was read and Paley with Paxton was optional with the master, as it was not required for entrance at Cambridge.¹⁴³ In the English High School at Salem in 1830 the senior class studied Paley's *Moral Philosophy*.¹⁴⁴

An examination of the books which have been mentioned will show that the English courses included considerable religious content which had never appeared in the Latin

¹³⁹ Grizzell, pp. 45, 46.

¹⁴⁰ *Ibid.*, p. 302.

¹⁴¹ *Regulations for the Public Schools of the Town of Lowell, 1832*, pp. 13-16.

¹⁴² *Catalogue of the Instructors and Scholars in the Latin and English High School, Newburyport, 1832*, pp. 10-12.

¹⁴³ *Report of Committee on Regulations of the School Committee of Boston, 1833*, pp. 16, 18, 19.

¹⁴⁴ *Regulations for the Public Schools of the Town of Salem, 1830*, p. 17.

Grammar Schools, doubtless because it was necessary to fill the curriculum and those reading Latin and Greek had been expected to absorb their religion from the authors read in the original. The character of *Evidences of Christianity* is apparent. Natural philosophy was the old name for physics. The *Natural Theology: or Evidences of the Existence and Attributes of the Deity, collected from the Appearances of Nature*,¹⁴⁵ by William Paley, D.D., Archdeacon of Carlisle, was largely devoted to the study of nature and the structure of man, from the analogy of which he developed his theory of the personality, natural attributes, unity and goodness of the Deity. The approach was somewhat deistic, but the conclusions were not so. *The Principles of Moral and Political Philosophy*¹⁴⁶ by the same Anglican author discussed the will of God, duties toward God, virtues and vices. It was largely based on the Scriptures and had a distinctly religious tone.

After the passage of the law of 1827 it was of course impossible to use legally sectarian books and an examination of the books in use in elementary schools shows a considerable lessening of the amount of religious education through textbooks. In Boston in 1831 Pierpont's *National Reader* and the *American First Class Book* were used.¹⁴⁷ Two years later it was required that the morning exercises of all schools should commence with reading the Scriptures and prayer. In the grammar schools Pierpont's books were required, but we find a lingering use of the Bible as a reader, for on Mondays the highest class read in it instead of a reader.¹⁴⁸ In the grammar schools for boys and in those for girls in Salem in 1830 the ability to read the *Testament* was required for admission and the use of the *Bible*, Pierpont's *National Reader*, and the *American First*

¹⁴⁵ William Paley, *Natural Theology* (Albany, 1803).

¹⁴⁶ William Paley, *The Principles of Moral and Political Philosophy* (Boston, 1821).

¹⁴⁷ *Report of Committee on Classification of Schools, 1831*, pp. 7-8.

¹⁴⁸ *Report of Committee on Regulations of the School Committee of Boston, 1833*, pp. 8, 13.

Class Book were required with no possible substitution. Similarly the primary schools used the New Testament and the *New York Reader*.¹⁴⁹

At approximately the close of our period, in 1835, the reports of the school committees disclosed the use of the readers or religious books in the following order of popularity: ¹⁵⁰

Bible or Testament	114 towns
<i>National Reader</i>	Most
<i>Young's Reader</i>	Very popular
Pierpont's Reading Books	" "
<i>Improved Reader</i>	Considerable
<i>Intelligent Reader</i>	"
<i>Child's Guide</i>	"
<i>Analytical Reader</i>	"
Murray's <i>English Reader</i>	"
<i>Franklin Primer</i>	Scattering
About twenty-five other books	used in various places.
<i>Beauties of the Bible</i>	Charlestown
Brown's <i>Moral Philosophy</i>	Brookfield
Whelpley's <i>Compendium</i>	7 towns
Wayland's <i>Moral Philosophy</i>	Edgartown
Sullivan's <i>Moral Class Book</i>	Salem
<i>Evidences of Christianity</i>	Newburyport
Catechism	None
Paley's <i>Moral and Polit. Philos.</i>	Marblehead

The most popular *National Reader* ¹⁵¹ was intended to meet the requirement of the Massachusetts sectarian book law just passed, but included lessons of a "sublime and catholic religion." It was also designed to be an American book of a nationalistic but not exclusive spirit. The author

¹⁴⁹ *Regulations for the Public Schools of the Town of Salem, 1830*, pp. 18-20.

¹⁵⁰ *Abstract of School Returns, 1835*.

¹⁵¹ John Pierpont, *The National Reader* (Boston, 1828).

was a minister of the Hollis Street church in Boston and the book has a religious spirit. It went through a dozen editions by 1841.

The series of books by Joshua Leavitt originated slightly earlier, of which the *Easy Lessons*¹⁵² was most used in this period. It was intended to take the place of the *Testament*, but the author would not exclude it entirely. There is one sermon by a lady, and one hymn, both of which are adapted to children. There is little religious content, but a description of the American Asylum for the Deaf and Dumb has a religious point of view. The frontispiece shows a group gathered under a tree in a hayfield with a church in the distance. There is the following description of the scene:

"The haymakers soon gathered around the milk pail, thanking Mr. Dolben for his kindness. Mr. Dolben requested them to give God thanks and ask his blessing, and then they began to eat; while Henry read to them, in a distinct, graceful, and animated manner, the eleventh chapter of Isaiah."

*The Fourth Class Book*¹⁵³ contained 135 selections, of which the only religious ones were entitled *Praise to God*, *Creation*, and *The Works of God*, developing the idea of God in nature. The content was mainly stories, with some religious and moral ideas.

*The General Class Book*¹⁵⁴ was by the author of the *Franklin Primer* and the *Improved Reader* and followed them in a series. It included a medley of topics, scientific, historical, and some distinctly religious. Abraham was treated along with Pericles and public worship and the pope along with breweries and tornadoes. The book was advertised for sale in Boston, Northampton, and Pittsfield and the twelfth edition was published in 1835.

A book used considerably in 1835 was *The Child's*

¹⁵² Joshua Leavitt, *Easy Lessons in Reading* (7th ed., Keene, 1827).

¹⁵³ *The Fourth Class Book*, anon., (2d ed., Brookfield, 1828).

¹⁵⁴ *The General Class Book* (Greenfield, undated).

Guide,¹⁵⁵ of which the *Boston Recorder* said that it was calculated "to warm the pupil into benevolent and pious sentiments." There are many selections from *The Youth's Companion*, and other books. The only frankly religious part is the Ten Commandments followed by a talk on them.

*A Second Book for Reading and Spelling*¹⁵⁶ was copyrighted by Samuel Worcester in 1830. It was to be used next after the primer and many of the lessons were on natural subjects with a picture of the animal or thing at the top. There was considerable religious material in the form of Bible quotations and stories based on the Ten Commandments. Unlike the majority of the new books at that date, it was more religious than moral.

On the other hand a distinctly moral as opposed to religious book was *The Monitorial Reader, designed for the use of Academies and Schools; and as a Monitor to youth, holding up to their view models whereby to form their own characters*,¹⁵⁷ by Daniel Adams, M.D. Its moral training related to truth, integrity, honesty, industry, and temperance.

We note, then, in the textbooks produced after the sectarian book law, nothing that could be termed sectarian in character, at least as between Protestant sects. There was a diminishing amount of space devoted to selections of Bible quotations and Bible stories; occasionally we find selections on Creation, or others of a broad religious character; and sometimes a hymn or sermon was inserted. Morality and ethics had come by 1837 to replace practically all the definitely religious content in the textbooks, and what religion remained was given incidentally or as literature. After this there was no tendency to restore the religious element.

But a sectarian instruction was still possible through

¹⁵⁵ *The Child's Guide*, anon. (3d ed., Brookfield, 1831).

¹⁵⁶ Samuel Worcester, *A Second Book for Reading and Spelling* (Boston, 1831).

¹⁵⁷ Daniel Adams, *The Monitorial Reader* (Keene, 1839).

special doctrinal books or oral instruction; and it does not appear that the latter would have violated the law. Horace Mann states that when he assumed the direction of the Board of Education at this time he found many doctrinal books and many teachers giving oral doctrinal instruction. In one case by printed directions to teachers a school committee enjoined the use of a doctrinal catechism twelve years after the law was passed in 1827.¹⁵⁸ But if this had not been entirely exceptional it would not have been mentioned in this way. It is probable that there was very little catechism teaching after 1827. *The New Englander* stated that it had known no case of the use of the catechism after 1818, and that the only direct religious instruction was the addresses of visitors. It believed that since that date the plan of giving no direct religious instruction had in its essential features been generally observed in the New England common schools. Bible reading was not considered religious instruction.¹⁵⁹

A slight relation of the state to religious education during the period 1780-1837 came through its incorporation of various religious, educational, and philanthropic institutions. One of the earliest and most important of these was the Society for the Propagation of the Gospel, authorized to work among the Indians and others destitute of religious instruction. Its charter provided:

"Persons employed as teachers in any capacity shall be men of the Protestant religion, of reputed piety, loyalty, prudence, knowledge and literature, and of other Christian and necessary qualifications suited to their respective stations."¹⁶⁰

Other institutions which doubtless gave more or less religious education, mentioned as examples of this large class, were: The Elliot School in Roxbury, March 9, 1804;¹⁶¹

¹⁵⁸ *12th Annual Report of the Bd. of Ed.*, 1848, p. 113.

¹⁵⁹ *The New Englander*, April, 1848, p. 246.

¹⁶⁰ *Perpetual Laws*, pp. 421-423.

¹⁶¹ *Sen. Doc. 90*, 1836.

The Massachusetts Society for Promoting Christian Knowledge, February 20, 1807;¹⁶¹ Trustees of the Malden Ministerial Fund, June 20, 1807;¹⁶¹ The Salem Atheneum, March 6, 1810;¹⁶¹ Maine Charity School, February 25, 1814;¹⁶² Boston Society for Religious and Moral Instruction of the Poor, February 21, 1820;¹⁶³ The Monitorial School in Boston, June 8, 1824;¹⁶¹ The Nantucket Lyceum, February 12, 1827;¹⁶¹ New England Asylum for the Blind, March 2, 1829;¹⁶¹ American Institute of Instruction, March 4, 1831;¹⁶¹ Boston Farm School, March 19, 1833.¹⁶¹ In consequence of the Dartmouth College decision, all incorporations subsequent to March 11, 1831, were by general law made liable to change by the General Court.¹⁶⁴

Incorporations of theological institutions, colleges, and academies will be treated in the next chapter on the subject.

In addition to appropriations for Indian education from the School Fund after its establishment, considerable appropriations made equally and indistinguishably for public worship and education, largely religious, went to the Society for the Propagation of the Gospel and to Roman Catholic priests for the benefit of these wards of the state. There were also direct appropriations for building churches and school houses. The Society for the Propagation of the Gospel appear to have received at least \$6,600. The appropriations for Roman Catholic missionary educational work are very important, as they represent the only appropriations ever made for the educational work of that body of Christians apart from institutions under direct public control. The first continuing appropriation was made in 1798 on petition of Francis Anthony Matignon, "minister of the Catholic Church in Boston," for a teacher of religion and morality, to work among the Penobscot and Passamaquoddy Indians. The annual grant was subsequently twice increased. In 1820 there is a further record of a grant of \$350

¹⁶² *Laws, 1813*, chap. 162.

¹⁶³ *Laws, 1819*, chap. 274.

¹⁶⁴ *G. S.*, chap. 68, sec. 41.

annually, but it is not clear how long this continued. If the grants were paid annually until 1821 even, the total would have been \$7,975.¹⁶⁵

This survey of the relation of the state to public religious education under the state constitution until the establishment of the Board of Education in 1837 indicates that the principle prevailed throughout the state should provide such education. It was provided directly through churches supported by public taxation compulsory for all except Quakers unless voluntarily given, until 1833; and after that churches might levy tax on their own members. The teaching of piety was enjoined in the statutes and under this provision religious education continued in the public schools in a decreasing degree until the end of the period, through the catechism, the Bible as a reading book, daily Bible reading and prayer, the exhortations of ministers at the annual visitation, and the use of the prevalent textbooks and oral instruction. By 1827 sectarian doctrinal teaching had practically disappeared, and that situation was made legally requisite by excluding sectarian books from the schools and in the spirit of the law at least disapproving of oral sectarian instruction. During the remainder of the period the textbooks were free from such material, and there appears to have been only a negligible amount of it from the catechism or oral instruction. But Bible reading and visual and oral instruction in the general principles of Christianity accepted by the Protestant denominations in common was not illegal, but rather expected; the extent to which it was practised depended on the local community.

¹⁶⁵ *Appropriations for Sectarian and Private Purposes*, pp. 43-58.

CHAPTER VI

STATE ENCOURAGEMENT OF RELIGIOUS EDUCATION IN HIGHER INSTITUTIONS, 1780-1837

IT WILL be recalled that the constitution adopted in 1780 had made it the duty of the legislature "to cherish the interests of literature and the sciences, and all seminaries of them." It will be our purpose now to determine to what extent the legislature did follow this injunction, first in regard to academies and similar institutions, and secondly in regard to colleges and theological institutions. It will also be shown to what extent these institutions taught religion.

We have seen that the old Latin grammar schools proved unfitted to the needs of other than the professional classes, and that the modern high schools did not even begin to take their places until after 1820. The gap was largely filled by academies and other schools of a similar character. The term academy appears to have been used first by Milton in his *Tractate on Education*, where it referred to a classical institution with some science added. Benjamin Franklin used the term in reference to a project for the public education of youth in Pennsylvania and it was from this that the name developed in relation to American secondary schools.¹ The academies of Massachusetts were often founded by religious denominations or individuals with a religious purpose and had largely a religious aim; but differed from the grammar schools in a diminished Latin and Greek content and the substitution of some crude scientific instruction. Because they charged tuition and attracted the patronage of the wealthy, both in the way

¹ Barnard, *American Journal of Education*, XXX, p. 760.

of donations and students, they hampered the development of a democratic system of public education. But in origin this was probably not intended. Rather the purpose was to extend the benefits of education and religion; and when the public education was falling below the requirements of law it was natural that those who were peculiarly interested in the educational and religious welfare of the people should have followed the English model in the endowment of private institutions.

The forerunner of the academies was the Dummer Charity School, opened February 28, 1763, in Byfield Parish, Newbury, in accordance with the will of Governor Dummer, who had lived in Newbury and gave the ancestral farm for the maintenance of the school. According to the terms of his will there were three trustees, of whom two were clergymen, to hold the trust. The funds were to be administered by a board consisting of the ministers of Byfield Parish and and five men elected by the town meeting. This board was empowered to choose a schoolmaster, who was removable only by the overseers of Harvard College. The unavoidable conflicts of trustees and board led to a petition for incorporation in 1782.² The act of incorporation stated that the school had trained for service in church and state, and therefore trustees were incorporated to "maintain and support masters and teachers, for the promotion of piety and virtue" and other subjects. Part of the trustees were clergymen.³

The first legislature incorporation of an academy was that of the Phillips Academy in Andover on October 4, 1780. The foundation of this institution occurred two years earlier, when Hon. Samuel Phillips and Hon. John Phillips conveyed in trust a parcel of land and £1614 "to support a public free school or academy, for the purpose of instructing youth, not only in the English and Latin grammar, writing and arithmetic, and those sciences wherein they are

² *Exercises at the One Hundred and Twenty-Fifth Anniversary of Dummer Academy*, pp. 29-33. ³ *Perpetual Laws*, pp. 406-408.

commonly taught; but more especially to learn the great end and real business of living." This first and principal object was the promotion of true piety and virtue, conceived in terms of the narrowest Calvinism. The daily impressing of the points of Calvinism was considered essential to the accomplishment of the design of the institution, and to safeguard this only Protestants were ever to be concerned in the administration of the trust or in the work of instruction.⁴ The act of incorporation followed a formula that it was "for the purpose of promoting true virtue and piety," which came to be used in substantially the same form in all incorporations of academies in our period. A major part of the trustees were required to be laymen and they constituted a close corporation. It was specifically provided that the trustees must not act contrary to the design of the first founders.⁵ When John Phillips died he intensified the Calvinistic theological activity of the school by leaving the residue of the estate to the academy for this purpose. Until a regular orthodox professor of divinity should be established in the school, the students were to work under the tutelage of some eminent Calvinistic minister. On June 20, 1807, the academy was authorized to hold more property in order to give theological instruction, and the following August it received from private

⁴ *Trustees of Phillips Academy v. King*, in 12 Mass. 546-547. The narrowly sectarian aim of the institution was provided for especially because it was expected that many of the students would be in preparation for the ministry. Accordingly it was made the duty of the master "not only to instruct and establish them in the truth of Christianity, but also early and diligently to inculcate upon them the great and important doctrines of the existence of one true God, the Father, Son, and Holy Ghost; of the fall of man, the depravity of human nature, the necessity of an atonement, and of our being renewed in the spirit of our minds; the doctrine of repentance towards God, and faith towards our Lord Jesus Christ; of our sanctification by the Holy Spirit, and justification by the grace of God, through the redemption that is in Jesus Christ, in opposition to the erroneous and dangerous doctrine of justification by our own merit, or a dependence on self-righteousness; together with other important doctrines and duties of our holy religion." ⁵ *Perpetual Laws*, pp. 403-405.

donors buildings and \$20,000 for a theological institution "upon Calvinistic principles expressed in the Westminster Assembly's Shorter Catechism."⁶ The further history of this theological institution will be discussed in connection with other schools of that type.

Another early academy was Leicester Academy, which at its foundation was the only educational institution higher than a district school in Worcester County. Ebenezer Crafts and Jacob Davis had given a mansion house and lands to promote piety and learning and it, like Phillips, was incorporated "for the purpose of promoting true piety and virtue." It was a close corporation with six clergymen among the original trustees, but a majority of the board had to be laymen.⁷ The legislature had refused incorporation until £1,000 was subscribed as a fund. The town of Leicester gave £500 in securities.⁸ In 1823 the Calvinistic type was fastened upon it by a gift of about \$8,000 by Israel Waters of Charlton "for the purpose of supporting an Instructor or Instructors, of the Congregational Calvinistic order, in the higher branches of Literature."⁹

A similar act of incorporation was given in 1784 to the Derby School in Hingham, to which Sarah Derby had given lands for what was then unique, a coëducational institution.¹⁰

An instance of an academy with partial local public support was Groton Academy, incorporated in 1793. The school was started by associates who subscribed for 105 shares at five pounds each, of which 40 were taken by the town, on an equal basis with the others. One tenth of the school money of the town annually went to the academy. In 1797 it was admitted that town and state aid was neces-

⁶ *Trustees of Phillips Academy v. King*, in 12 Mass. 549-552.

⁷ *Perpetual Laws*, pp. 409-411.

⁸ *The Centenary of Leicester Academy. Historical Address by Hon. Wm. W. Rice, Sept. 4, 1884* (Worcester, 1884), p. 24.

⁹ Luther Wright, *Education. An Address delivered at Leicester Academy, Dec. 25, 1833* (Worcester, 1834), p. 34.

¹⁰ *Perpetual Laws*, pp. 412-414.

sary to keep it going. In a petition to the state it showed pupils were paying 20 cents per week in addition to the payments by the town and still it was running in debt. Board was one dollar per week, raised 17 cents in winter.¹¹

The relation of the state to these and many other academies extended farther than the mere act of incorporation. While there were from the beginning some misgivings lest these schools might take the place of the more democratic town schools, they were nevertheless given state aid; the fact that they gave religious education was considered a warrant rather than objection for this. Said Governor John Hancock in his message of January 30, 1793:

"Amongst the means by which our government has been raised to its present height of prosperity, that of education has been the most efficient; you will therefore encourage and support our University and Academies; but more watchfully the Grammar and other town schools. These offer equal advantages to poor and rich; should the support of such institutions be neglected, that kind of education which a free government requires to maintain its force, would be very soon forgotten."¹²

Similarly that staunch democrat, Governor Samuel Adams, in his message of June 2, 1795, approved the patriotic zeal of citizens to establish academies, but feared the possibility of injuring the town grammar schools, where rich and poor had equal advantages. He feared this might result in a less equal and universal dissemination of "that useful learning, instruction, and social feelings in the early parts of life;" and at the same time approved the support of teachers of piety, religion, and morality.¹³

Governor Caleb Strong, on June 4, 1801, discussed only the Jefferson election, the militia, education, and religion. He believed that it was necessary to habituate children to restraint and cherish the virtuous propensities of their hearts,

¹¹ *H. R. Doc.* 261, 1859.

¹² *Laws and Resolves, 1792-1793*, p. 692.

¹³ *Laws and Resolves, 1794-1795*, pp. 610-611.

and deplored the bad examples of teachers. He approved the establishment by the fathers of schools for education in literature, religion, and morality. He suggested state aid for new towns and plantations.¹⁴

Despite this grudging support of the executives, who preferred the democratic town system, the legislature in 1797 adopted a definite system of state aid. On February 25, 1797, a joint special committee on the subject of academies at large submitted an important report, said to have been penned by Nathan Dane, author of the Northwest Ordinance of 1787.¹⁵ It recommended the principle of continuing state endowments with state lands in Maine, with an equal favor to all parts of the commonwealth so that there would be no grant unless there were 30- or 40,000 inhabitants not otherwise provided for, and with no grants unless permanent funds had been already secured from the towns or individual donors adequate to erect and repair necessary buildings, support the corporation, provide apparatus and books, and pay part of the salaries. Nothing was said in regard to religious instruction, and it was undoubtedly taken for granted. At this time 15 academies had been incorporated and the Derby School served practically the same purpose. Leicester, Marblehead, and Bristol Academy at Taunton had already received each a township of land, as well as land grants to Fryeburgh, Machias, Hallowell, and Berwick in Maine. It was calculated that the endowed colleges would answer in their sections. The committee proposed that one half a township be given to those which could qualify under the above conditions and had not yet received grants. Dummer, Phillips, Groton, and Westford could immediately qualify; others would be considered qualified when funds had been secured to the extent of \$3,000. The legislature ordered the report printed and grants made to the first applicants from locations approved by the legislature, which

¹⁴ *Laws and Resolves, 1800-1801*, pp. 578-580.

¹⁵ Barnard, *American Journal of Education*, XVI, p. 416.

gave evidence of the required fund.¹⁶ In consequence of this decision, Dummer Academy, Phillips Academy, Groton Academy,¹⁷ and New Salem Academy¹⁸ speedily received their grants. The accompanying table shows the extent of financial aid and the number of academies incorporated to 1837.

STATE SUPPORT OF ACADEMIES, 1780-1837¹⁹

Name	Place	Date of Incorporation	Land Grant	Value 1832
Phillips ²⁰	Andover	Oct. 4, 1780	½ T	\$11,040
Dummer	Newbury	Oct. 3, 1782	½ T	11,040
Leicester ²¹	Leicester	Mar. 23, 1784	T	55,200
Bristol	Taunton	June 30, 1792	T	58,177.50
Marblehead	Marblehead	Nov. 17, 1792	T	55,200
Plymouth	Plymouth	Mar. 19, 1793		
Westfield ²²	Westfield	June 17, 1793	½ T	5,520
Westford ²³	Westford	Sept. 28, 1793	½ T	11,040

¹⁶ *Resolves*, 1796, chap. 44. The report is printed after the resolve.

¹⁷ *Resolves*, 1796, chap. 45.

¹⁸ *Resolves*, 1797, chap. 46.

¹⁹ This table is compiled from the following sources: *H. R. Doc. 16, 1827*; *H. R. Doc. 26, 1832*; *Sen. Doc. 90, 1836*; *H. R. Doc. 32, 1848*; *40th Annual Report of the Bd. of Ed., Appendix*, pp. 176-181, for Walton's *Report on Academies; Appropriations for Sectarian and Private Purposes*, pp. 43-58; Barnard, *American Journal of Education*, XXX, pp. 760-808; *The Centenary of Leicester Academy*, pp. 24-29; Washburn, *Sketches of the Town of Leicester*, p. 17. It does not include twenty-five in Maine when the territory constituted a part of Massachusetts, but no different principle was involved there. It is believed the list is as accurate as one can now be made. It includes seminaries and other institutions which seem to have been equivalent to academies, but not incorporated grammar schools, high schools, and town school funds. Some of those given may never have opened their doors. The institutions were termed academies unless otherwise noted. The land grants are given in terms of townships. Their estimated value is a rough estimate given by the Land Office in 1832 to the House. Other than land grants are given in the notes at the bottom.

²⁰ Granted £200 tax exemption on income, *Resolves*, 1786, chap. 75.

²¹ Land sold for \$9,000. Also received a lottery yielding \$1,400 and a small farm estimated at \$400.

²² Received £600 from town and \$5,000 in 1856.

²³ Land sold for \$5,810.

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<i>Name</i>	<i>Place</i>	<i>Date of Incorporation</i>	<i>Land Grant</i>	<i>Value 1832</i>
Groton	Groton	Sept. 28, 1793	½ T	22,080
New Salem	New Salem	Feb. 25, 1795	½ T	33,120
Deerfield	Deerfield	Mar. 1, 1797	½ T	5,520
Derby ²⁴	Hingham	Mar. 11, 1784	½ T	3,312
Milton	Milton	Mar. 3, 1798	½ T	8,280
Bridgewater	Bridgewater	Feb. 26, 1799	½ T	5,520
Framingham	Framingham	Mar. 1, 1799	½ T	5,520
Nantucket	Nantucket	Mar. 3, 1801	½ T	Discontinued
Berkshire	Lenox	Feb. 22, 1803	½ T	3,312
Franklin	Andover	June 21, 1803		
Bradford ²⁵	Bradford	Feb. 10, 1804		
Sandwich	Sandwich	Feb. 21, 1804	½ T	4,416
Monson	Monson	June 21, 1804	½ T	8,280
Lynn	Lynn	Mar. 16, 1805		
Day's	Wrentham	Mar. 13, 1806	½ T	4,416
Middlesex				
Female	Concord	Mar. 14, 1806		
Pittsfield				
Female	Pittsfield	Feb. 13, 1807		
Newburyport	Newburyport	June 20, 1807		
Friend's				
Monmouth	New Bedford	Feb. 29, 1812		
Amherst	Amherst	Feb. 13, 1816	½ T	3,312
Hopkins	Hadley	Feb. 14, 1816	½ T	3,864
Salem Street	Boston	Dec. 9, 1816		
Kingston	Kingston	Dec. 11, 1816		
Nichols	Dudley	June 18, 1819	½ T	3,312
Billerica	Billerica	Jan. 31, 1820		
Sanderson	Ashfield	June 16, 1821		
Merrimack	Bradford	Feb. 7, 1822		
Lexington	Lexington	Feb. 16, 1822		
Wesleyan	Wilbraham	Feb. 7, 1824	½ T	3,864
Female Clas- sical Seminary	Brookfield	Feb. 15, 1826		
Haverhill	Haverhill	Jan. 28, 1828		
Williamstown	Williamstown	Feb. 11, 1828		
Sherburne	Sherburne	Feb. 11, 1828		
Lancaster	Lancaster	Feb. 11, 1828		
Milford	Milford	Feb. 11, 1828		
Weymouth & Braintree	Weymouth	Feb. 28, 1828		

²⁴ Originally incorporated in 1784 as Derby School. Changed 1797.

²⁵ Coeducational until 1836; thereafter female.

<i>Name</i>	<i>Place</i>	<i>Date of Incorporation</i>	<i>Land Grant</i>	<i>Value 1832</i>
Ipswich				
Female	Ipswich	Feb. 28, 1828		
Stockbridge	Stockbridge	Mar. 11, 1828		
South Reading	Wakefield	June 12, 1828		
Greenfield H.S.				
for Young Ladies	Greenfield	June 12, 1828		
Topsfield	Topsfield	June 12, 1828		
Sheldon English & Classical School	Southampton	Jan. 27, 1829		
Partridge	Duxbury	Feb. 13, 1829		
Round Hill Institution	Northampton	Feb. 18, 1829		
Hanover	Hanover	Feb. 18, 1829		
Abbott Female	Andover	Feb. 26, 1829		
Middleborough		Feb. 28, 1829		
Chatham	Chatham	Feb. 28, 1829		
Northfield	Northfield	June 11, 1829		
Gates'	Marlborough	Feb. 18, 1830		
Woodbridge School	South Hadley	June 5, 1830		
Warren	Woburn	Mar. 10, 1830	½ T ²⁶	
Mt. Pleasant Cl. Insti.	Amherst	Feb. 16, 1831		
Newton Female	Newton	Feb. 4, 1831		
Boxford	Boxford	Mar. 4, 1831		
Female Seminary in Springfield	Springfield	Mar. 4, 1831		
Egremont	Egremont	Jan. 24, 1832		
Pawtucket	Pawtucket	Feb. 20, 1832		
Fellenburg	Greenfield	Feb 25, 1832		
Millbury	Millbury	Mar. 5, 1832		
Worcester Female	Worcester	Mar. 10, 1832		
Lynn	Lynn	Mar. 13, 1832		
Dorchester	Dorchester	Mar. 20, 1832		
Adams		Mar. 20, 1832		
Gooddale	Bernardston	Jan. 24, 1833		
Westminister	Westminister	Jan. 30, 1833		
Charlestown				
Female Seminary	Charlestown	Mar. 1, 1833		
Central Village	Dracut	Mar. 1, 1833		
Edgartown	Edgartown	Mar. 5, 1833		
Dukes County	Tisbury	Mar. 7, 1833		

²⁶ Probably never received, though granted in 1808. Not in Land Report.

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<i>Name</i>	<i>Place</i>	<i>Date of Incorporation</i>	<i>Land Grant Value 1832</i>
Franklin County	Shelburne	Mar. 20, 1833	
Randolph	Randolph	Mar. 25, 1833	
Belvidere			
Female Seminary	Tewksbury	Mar. 26, 1833	
Boston Seminary			
for Young Ladies	Boston	Mar. 28, 1833	
Fuller	Newton	Jan. 31, 1834	
Beverly	Beverly	Jan. 30, 1835	
Belmont Institute	Belmont	Mar. 6, 1835	
Pierce	Middleborough	Mar. 7, 1835	
Lawrence	Falmouth	Mar. 7, 1835	
Winnisimmet	Chelsea	Mar. 12, 1835	
Northampton			
Female	Northampton	Mar. 19, 1835	
Mt. Holyoke			
Female Seminary	South Hadley	Feb. 11, 1836	
Sedgwick Seminary			
for Young Ladies	Jamaica Plain	Mar. 11, 1836	
Belchertown Class- ical School	Belchertown	Mar. 16, 1836	
Amherst			
Female Seminary	Amherst	Apr. 8, 1836	
Mountain Seminary	Worthington	Feb. 7, 1837	
New England			
Christian Academy	Beverly	Mar. 4, 1837	
Rochester	Rochester	Apr. 5, 1837	
East Bridgewater	East Bridgewater	Apr. 5, 1837	
Wheaton			
Female Seminary	Norton	Mar. 10, 1837	

The table indicates that until 1800 nearly all the academies which were incorporated received a grant of land, of varying value due to location and consequent development. The time of sale determined the amount actually received. After that date the policy of the 1797 report did not result in a gift of land to all incorporated. After 1820 the only grants were to Nichols Academy on February 8, 1825, and to Wesleyan Academy, March 11, 1828.²⁷ Meantime the codification of the education law had taken

²⁷ *H. R. Doc. 32, 1842.*

place in 1827, and in connection with that a committee presented a report which changed the attitude of the state toward these institutions. It will be remembered that James G. Carter was then advocating a democratic system of town schools with specially trained teachers. This view was accepted by the committee, which viewed the increase and endowment of seminaries and academies as "highly prejudicial to the interests of the common free schools." It was held that the act of incorporation did not give them a claim upon the state, and it was inconsistent to appropriate to them when the public schools needed it more. No reference was made to the religious education of the academies and seminaries and that was not then a reason for the refusal of funds.²⁸

The only exception to this rule in our period was therefore Wesleyan Academy. This was the oldest Methodist institution in America and was meant to give special aid to ministerial students.²⁹ It had received a charter in 1824 "for the purpose of promoting religion and morality, and for the education of youth, in such of the liberal arts, and sciences, as the trustees for the time being shall direct." There was no clause prohibiting religious tests or the teaching of sectarian doctrines.³⁰ Besides the half township of Maine land granted March 11, 1828,³¹ the institution in 1837 secured the favorable report of a resolve for an appropriation of \$500 semi-annually for five years, the intention being to use it for the establishment of a department of teacher training. The institution then had 400 students and was turning more away. This was believed to be a record attendance for a New England academy. However, the resolve was not passed.³²

The grant to Dukes County Academy was only an ap-

²⁸ *H. R. Doc.* 29, 1827.

²⁹ Barnard, *American Journal of Education*, XXX, p. 798.

³⁰ *Laws*, 1823, chap. 80.

³¹ *Resolves*, 1827, chap. 99.

³² *Sen. Doc.* 38, 1837; *Resolves*, 1837.

parent exception, for in the 1797 report this county had been offered half a township if it would raise \$3,000 for an academy. This condition was not met, but all the other counties did receive their grants, which were offered at the same time. It was believed that the public interest was served the same now as originally, and to take the place of a half township, a grant of \$3,000 was made on March 28, 1835.³³

We shall now consider the denominational influence and religious aims and content in these institutions, more particularly those receiving state aid.

Dummer Academy, where "the pupil dwells among the scenes of nature and is incited by the stillness of her beauties to study and improvement," was teaching in 1837 *Moral and Intellectual Philosophy, Evidences of Christianity*, and *Natural Theology*. Seats for students were provided in the Byfield meeting house.³⁴

We have seen that the original donors required a Calvinistic education in Phillips Academy. About 1814 the religious exercises every morning included an invocation, reading of Scripture with notes from Scott's *Commentary*, a hymn, and a prayer by the master, John Adams. The same was repeated every afternoon, and every Monday a class recited in Mason's *Self-Knowledge*. Singing was required of all and practice in commenting on Scripture of the seniors.³⁵ That there was a vital religious spirit among the students may be concluded from the fact that in 1813 54 students for their mutual benefit adopted a *Constitution of the Society for Promoting Good Morals*, mutually agreeing to a course of vital piety and strict conduct.³⁶

³³ *H. R. Doc. 58, 1835; Resolves, 1835*, chap. 76.

³⁴ *An Account of Dummer Academy* (Boston, 1837), pp. 6-10.

³⁵ Holtz, pp. 37, 38.

³⁶ *Constitution of the Society for Promoting Good Morals in Phillips Academy, Andover* (Andover, 1814). This agreement included the following: "1. We will endeavor to maintain an impressive sense of the Being and Omnipotence of God, who will hereafter judge us according to our works; sensible that a belief of this truth is the most

Among other early academies, we have seen also that Leicester was Calvinistic. In his dedicatory address for the new building on December 25, 1833, Luther Wright, the principal preceptor, said it was dedicated to science, literature, and religion, and that the teacher should exert a decidedly religious influence in the sphere in which he acts.³⁷ Likewise the preceptors at Deerfield were expected "to instill into the minds of the pupils moral and Christian principles, and form in them habits of virtue and the love of piety." To this end there was a fine of four cents for absence from morning prayers at five, and a fine of two cents for tardiness.³⁸ The rules at Bridgewater in 1818 provided:

"It shall be the indispensable duty of the Preceptor to open his school in the morning of each day with reading a portion of the sacred Scriptures and with prayer, and also to close it in the evening with the same exercises, requiring each scholar, male and female, during the reading of such portion of Scripture, to have their Bibles open and look over the same when read."

In addition the preceptor was required to address them on religious and moral subjects each Wednesday, and teach the being of God, redemption purchased by Christ, future rewards and punishments, and a long list of virtues. Attendance at public worship was required on Sunday, fast and thanksgiving days, sacramental lectures, and public occasions.³⁹ At Westford it was made the duty of the preceptor to inculcate morality, piety, and virtue. Prayers and Scrip-

powerful dissuasive from sin." They further promised never to take the name of God in vain, to have a religious regard for the Lord's day and to abstain from classical studies and newspapers and to attend public worship, to read some of the Bible daily, to obey their superiors, to tell the truth, be contented, avoid vulgar, obscene language, abstain from wine and ardent spirits, and reprove one another.

³⁷ Wright, pp. 1, 23.

³⁸ Johnson, pp. 147-150.

³⁹ *Historical Notice of the Bridgewater Academy from its Foundation in 1799, to 1858* (Boston, 1858), pp. 28-31.

ture reading were required morning and evening, part of the reading being by the pupils with all following in their Bibles. A monitor was appointed for each meeting house to check the attendance of the pupils at Sabbath worship.⁴⁰ Monson Academy had clergymen of the Congregational church as its first two presidents of the corporation, and they were particularly interested in the training of men for the ministry. However, the institution never required denominational or sectarian tests, and the paramount object long remained to create a "healthy moral influence by the sanctions of religion freely and earnestly expressed."⁴¹ Nichols Academy was founded by Mr. Nichols as an Universalist institution, coëducational, and with religious teaching and compulsory attendance at Sabbath worship, unless excused by parents, guardians, or preceptors.⁴²

A slightly different institution was the Berkshire Gymnasium, an imitation of the European schools of that name. But the religious content was no different, for it taught natural and revealed religion and sacred music. Familiar religious instruction was given on the Sabbath and other proper occasions, with regular Bible study and church attendance required.⁴³ A somewhat more religious atmosphere was to be expected at Wesleyan Academy. A carefully ordered régime is indicated by the following:

"The bell will ring in the morning a little before sunrise, for rising, at which time the scholars shall arise, wash and prepare for family prayers, which, in thirty minutes, will be notified by a second bell, when all the students shall repair to the dining room, in due order."

There were evening prayers at eight, and on the Sabbath becoming sobriety was enjoined, with attendance at public worship, a period of meditation and prayer in the students'

⁴⁰ *Extracts from By-Laws of Westford Academy* (undated).

⁴¹ *40th Annual Report of the Bd. of Ed., 1875-1876*, Appendix, pp. 264, 265, 269.

⁴² *Catalogue, 1835* (Worcester, 1835), pp. 11, 12.

⁴³ *Catalogue of the Berkshire Gymnasium, 1830*, p. 7.

rooms upon return, and the reading of Bibles and other good books, not school studies.⁴⁴

Among other institutions Westminster Academy claimed to exert a "decided and salutary" but unsectarian religious influence.⁴⁵ Millbury Academy had the usual daily Scripture reading and prayers and attendance at public worship on Sunday.⁴⁶ Franklin Academy was a pioneer in combining school education with manual labor on a farm for self-supporting students. In the *Catalogue* of 1833 we find:

"The Ladies will soon have exercise if they choose in cultivating the silk worm and in manufacturing silk. . . . The morals, religion, industrial habits and unanimity of the inhabitants (of Shelburne Falls) are such as to render it a peculiarly safe resort for Ladies and Gentlemen who wish for improvement. The Principal preaches in the chapel each Sabbath, where the students and others attend Bible classes."⁴⁷

The Fellenberg Academy at Greenfield also used the manual labor idea, in imitation of the Fellenberg school at Hafful, believing that students were less tempted to evil if busy. There was a chapel and it was recommended that every pupil have a Bible and a dictionary.⁴⁸

The coëducational Lexington Boarding School and Private Academy claimed to be free from sectarianism, but taught "to revere and love the divine character" and required attendance at public worship on Sunday.⁴⁹

Special reference should be made to the female seminaries incorporated in this period, though none of them received at that time state aid. They began early in the 19th century and because they trained women of religious and moral earnestness, missionaries and temperance workers, they were a favorite source of supply for helpmeets in the

⁴⁴ *Catalogue*, 1834 (Springfield, 1834), pp. 12-14.

⁴⁵ *Catalogue*, 1836 (Worcester, 1836), p. 8.

⁴⁶ *The Laws of Millbury Academy* (Millbury, 1833).

⁴⁷ *Semi-Annual Catalogue*, 1833 (Greenfield), p. 78.

⁴⁸ *First and Second Annual Reports*, 1834 (Greenfield, 1834).

⁴⁹ *Catalogue*, 1835-1836 (Boston, 1836), p. 10.

parsonage and were nicknamed "minister's rib factories."⁵⁰ The Greenfield High School for Young Ladies in 1828 avoided speculative theological opinions, but had the usual morning and evening devotions and Sunday church attendance, and voluntary circles for religious reading met on Saturday and Sunday.⁵¹ Ipswich was also preëminently Christian, but the most famous institution was Mt. Holyoke, founded by the saintly Mary Lyon. In a pamphlet circulated just before opening, she said:

"The grand features of this institution are to be an elevated standard of science, literature, and refinement, and a moderate standard of expense; all to be guided and modified by the spirit of the gospel. Here we trust will be found a delightful spot for those 'whose heart has stirred them up' to use all their talents in the great work of serving their generation, and of advancing the Redeemer's Kingdom."⁵²

The means used to this end were two stated days of prayer and fasting, voluntary with the pupils, annually on the first Monday in January and the last Thursday in February; weekly Scripture study; five weekly scriptural addresses; weekly meetings of teachers for prayer and conference; sectional prayer meetings; half hour of private communion with God morning and evening. In all the work there was a vital piety, and 739 conversions were claimed in 20 years.⁵³

Besides the religious atmosphere and exercises of the academies described above, they were very similar in the use of textbooks of religion and morality. The accompanying table indicates the extent to which this existed in some typical institutions.

⁵⁰ Johnson, pp. 145, 146.

⁵¹ *Outline of the Plan of Education Pursued at the Greenfield High School for Young Ladies, 1828-1829* (Greenfield, 1829), pp. 6, 12, 15.

⁵² The pamphlet is given in *Old South Leaflets*, VI, p. 426.

⁵³ *Memorial. Twenty-Fifth Anniversary of the Mt. Holyoke Female Seminary* (South Hadley, 1862), pp. 39-51.

RELIGIOUS CONTENT IN CURRICULA OF ACADEMIES ⁵⁴

	<i>Gk. Test.</i>	<i>Moral Philos.</i>	<i>Nat. Theol.</i>	<i>Evidences of Chr.</i>	<i>Eccl. Hist.</i>	<i>Sacr. Geog.</i>	<i>Blair's Lectures.</i>
Nichols	*	*					
Groton ⁵⁵	*		*				
Hopkins ⁵⁶		*					
Amherst ⁵⁷		*				*	*
South Reading ⁵⁸	*	*				*	
Sanderson ⁵⁹							
Wesleyan ⁶⁰	*						
Westminster		*					
Millbury	*			*			
Fellenberg ⁶¹	*						
Franklin	*	*					
Ipswich Female ⁶²			*	*	*	*	
Brookfield Female ⁶³							
Classical Sem.		*		*			
Mt. Holyoke ⁶⁴	*	*	*	*	*		
Greenfield H. S. for Young Ladies		*	*	*			

The character of the textbooks used in these studies has been sufficiently explained in connection with the public high schools. It is clear that all of these academies and similar institutions taught some religion. In the beginning it was strictly sectarian, but later in the period many were advertising that they were non-sectarian. State support was given in the beginning to institutions which were of

⁵⁴ Unless otherwise noted the references are those given on the preceding pages. A usual requirement was that pupils bring Bibles.

⁵⁵ *Catalogue, 1837* (Concord, 1837), p. 12.

⁵⁶ *Catalogue, 1826* (Amherst, 1826), p. 8.

⁵⁷ *Catalogue, 1827* (Amherst, 1827), p. 8.

⁵⁸ *Annual Catalogue, 1831* (Boston, 1831), p. 7.

⁵⁹ *Catalogue, 1829* (Greenfield, 1829), p. 6.

⁶⁰ Hebrew, Chaldee, and Syriac taught. Barnard, *Am. J. of Ed.*, XXX, p. 798.

⁶¹ *Catalogue, 1834* (Greenfield, 1834), p. 8.

⁶² *Catalogue, 1830* (Newburyport, 1830), p. 7.

⁶³ *Catalogue, 1826* (Brookfield, 1826), p. 8.

⁶⁴ *Annual Catalogue, 1837-38* (no publisher given), p. 9.

a narrow sectarian aim, and when a new policy of state aid to public schools rather than academies was adopted it was dictated by democratic sentiments rather than opposition to the state aiding religious education. The one real exception to the carrying out of the new policy was in behalf of an institution more religious than the ordinary academies. Hence we may say that throughout the period the state approved of the principle of state aid to academies, sectarian or non-sectarian.

Turning to colleges, we find that there were four which received state aid during the period, if we include Bowdoin in Maine. This was treated on the same basis as the colleges in the present territory of Massachusetts and will be noticed only in regard to appropriations.

We have previously seen that Harvard had been largely controlled during the colonial period through the Board of Overseers and directly through the General Court. Appropriations from the government previous to 1786 have been calculated at \$116,157.74, devoted to current expenses, aid to students, and buildings.⁶⁵ Chapter V of the constitution of the commonwealth of 1780 relating to Harvard was approved by the Corporation and Overseers before ratification.⁶⁶ Herein the privileges and grants were confirmed because "the encouragement of arts and sciences, and all good literature, tends to the honor of God, the advancement of the Christian religion, and the great benefit of this and the other United States of America." The Board of Overseers was changed to include the Governor, Lieutenant-Governor, Council, and Senate, the President of Harvard and the ministers of the Congregational churches of Cambridge, Watertown, Charlestown, Boston, Roxbury, and Dorchester.⁶⁷ This created no change in the principles involved in the control of the institution, but made the membership of the Board more specific. The Corporation

⁶⁵ *H. R. Doc. 112, 1848; Sen. Doc. 134, 1854.*

⁶⁶ *Sen. Doc. 158, 1849.*

⁶⁷ Chap. V, sec. 1, in *American Antiquarian Society Pamphlets*, 312.

now tended to become less narrowly religious through the selection of more business men and publicists.⁶⁸

There is also evidence that after the Revolution Harvard began to depart from the compulsory theological instruction of earlier days. Until 1784 all resident graduates and Seniors and Juniors had been compelled to attend the divinity exercises, consisting of a dissertation by a professor on a controversial topic, followed by catechetical questioning on it. Thereafter only those on divinity foundations or specializing in divinity were compelled to attend the catechetical part; those not to be clergy had to attend only the public lectures.⁶⁹ In 1789 the Episcopalian students were permitted to attend public worship in the Cambridge Episcopal church instead of in the chapel.⁷⁰ But as late as 1810 the President was expected to conduct morning and evening devotional exercises and expound the Scriptures or deliver a religious discourse once a month.⁷¹

The 19th century saw the definite splitting of the Arian and Socinian elements of Eastern Massachusetts into the Unitarian denomination, which was accomplished by 1815. The more evangelical and missionary Congregationalists of Western Massachusetts followed Jonathan Edwards in orthodox trinitarianism. The death of Rev. Dr. Tappan, Hollis Professor of Divinity, in 1803, naturally precipitated a conflict between the two camps for control of the theological teaching.⁷² In the Corporation the professor of Hebrew objected to the choice of anyone not a Calvinist; but the Corporation had long been in the control of the liberals. In the Overseers, representing the state government and Congregational ministers, objection was made by Rev. Jedediah Morse to confirming the choice of Rev. Henry Ware, because of lack of orthodoxy. He maintained Hollis had demanded soundness and orthodoxy and that at the first election under the donation the Overseers

⁶⁸ Quincy, II, p. 255.

⁶⁹ Quincy, II, p. 259.

⁷⁰ Bush, p. 57.

⁷¹ *Ibid.*, p. 70.

⁷² Walker, pp. 329-335.

had examined as to the five points of Calvinism. But the reply was made that the college was dedicated to Christ, not Calvin; to Christianity, not sectarianism. This view prevailed after much wrangling and Harvard was lost to the orthodox Congregationalists.⁷³

Following 1810 there were several attempts to change the composition of the Board of Overseers, dictated more by political than religious reasons. The Senate wished to be relieved of the duty of serving and there was a desire to secure clerical members from other sections of the state.⁷⁴ The new Board consisted of the Governor, Lieutenant-Governor, Council, President of the Senate, Speaker of the House, with 15 ministers of Congregational churches and 15 laymen. The Overseers would fill the elective positions, only the present ministerial members would retain their positions as long as Congregational ministers in the state.⁷⁵

This new law was repealed in 1812⁷⁶ without the consent of the Corporation and Overseers, and the college called it unconstitutional as impairing the obligation of contract,⁷⁷ as was similarly maintained successfully by Dartmouth four years later. The result was that two rival Boards acted until February 28, 1814, when the General Court with the formal acceptance of the Corporation and Overseers passed a new law restoring the Board created in 1810 with the addition of the Senate.⁷⁸ This status was maintained for several decades. This incident, reinforced by the Dartmouth College decision, undoubtedly made it impossible for the state to alter the charter without the consent of the college.

Previous to this time the Harvard students had worshipped in Cambridge on Sunday, but the Overseers now advised that it would be better for the students to receive religious instruction in the University on the Sabbath. In

⁷³ Quincy, II, pp. 284-285.

⁷⁴ Quincy, II, pp. 294-295.

⁷⁵ *Laws*, 1809, chap. 113.

⁷⁶ *Laws*, 1811, chap. 157.

⁷⁷ *Sen. Doc.* 158, 1849.

⁷⁸ *Laws*, 1813, chap. 194.

1814 a chapel was fitted up in University Hall, constructed largely from the proceeds of the bank tax provided by the state, and a church was organized. For at least 30 years the members of the faculty of the Divinity School conducted public worship for the students here.⁷⁹ In 1817 Professor Frisbie was chosen as the first incumbent of the Alvord Professorship of Natural Religion, Moral Philosophy, and Civil Polity.⁸⁰

The question of the relation of the state to Harvard was thoroughly investigated by the constitutional convention of 1820, first by a committee headed by Josiah Quincy, future President of Harvard, which reported no alteration advisable and the 1642 charter inviolable; and secondly by a committee of which Daniel Webster was chairman, which confirmed the Quincy report, but with the consent of the Corporation and Overseers presented an amendment to the constitution to make all clergy equally eligible to the 15 elective positions on the Board of Overseers.⁸¹ The report added that all institutions for religion, or learning, or the relief of the indigent were under the control of the law.⁸² There was not a serious debate on the proposition as to whether the Congregationalists should be permitted to retain that amount of control,⁸³ and the convention voted 227-44 to recommend an amendment for the change.⁸⁴ This of course did not prevent the election of Congregationalists only to the Board, in the ministerial selections. But the mind of the populace was differently disposed and the amendment failed of ratification 8,020-20,123, being carried only in Suffolk county, which includes Boston, where there was naturally a greater strength of the other denominations and more liberality.⁸⁵

⁷⁹ Quincy, II, pp. 309-310; Bush, p. 96.

⁸⁰ Bush, p. 85.

⁸¹ *Journal of Debates and Proceedings*, p. 619; *A Manual for the Constitutional Convention, 1917*, pp. 36, 37.

⁸² *Journal of Debates and Proceedings*, pp. 527-532, gives report.

⁸³ *Ibid.*, pp. 543-547.

⁸⁴ *Ibid.*, p. 551

⁸⁵ *Ibid.*, pp. 633-634.

It appears that the religion of Harvard at this time did not greatly affect the students, as in 1823 only 12 of a student body of 302 were reported as "pious." There had been no revival for years and the Concert for Colleges was not observed on Sunday mornings. The only student prayer meeting was the weekly meeting of the theological societies.⁸⁶ But theological and religious studies were in the curriculum and works studied included Grotius' *de Veritate Religionis Christianae*, Paley's *Moral Philosophy*, Paley's *Evidences*, Butler's *Analogy*. The professor of divinity gave lectures to the Seniors.⁸⁷

The intent of the constitutional amendment proposed in 1820 was attempted by statute in 1834, to take effect upon the acceptance of it by the two college boards.⁸⁸ But this caused no change in the elections until 1843, when as a result of a change in the political complexion of the state the new Board of Overseers appear to have forced it upon the Corporation.⁸⁹

Meantime two other colleges had been established in the interior of the state. Williams College took its origin from a bequest of Col. Ephraim Williams to provide an income for a Free School in a town in Western Massachusetts to be called Williamstown. Trustees were incorporated in 1785, their successors to be chosen by the Supreme Judicial Court of the Commonwealth, and their administration to be supervised by the same body. They were authorized to administer the fund "in such manner as most effectually to answer the pious, generous, and charitable intentions of the testator."⁹⁰ This school was opened in 1791.⁹¹ On June 22, 1793, a college was established by act of the General Court and the property of the trustees of the Free School given

⁸⁶ *Boston Recorder*, March 15, 1823, p. 42.

⁸⁷ *Catalogue*, 1825, pp. 21, 22.

⁸⁸ *Laws*, 1834, chap. 129.

⁸⁹ *Debates and Proceedings in State Convention*, 1853, III, p. 253.

⁹⁰ *Acts*, 1784-1785, chap. 49.

⁹¹ *Collections of the Mass. Hist. Soc.*, ser. 1, VIII, pp. 49-53.

to it. The state then granted £1,200 and reserved the right to alter the charter and appoint overseers.⁹²

Williams became more distinctly a religious institution than Harvard. The original entrance requirements involved the ability "to read, parse, and construe, to the satisfaction of the president and a tutor, Virgil's *Aeneid*, Tully's *Orations*, and the *Evangelists* in Greek."⁹³ The Assembly's *Catechism* was used continually as a textbook as late as 1865.⁹⁴ Out of its famous haystack prayer meeting grew the first American organized effort for foreign missions, in the form of the American Board of Commissioners for Foreign Missions. It was aimed to have students from Williams journey west for missionary work among the Indians.⁹⁵ The development of Unitarianism at Harvard naturally sent the orthodox Congregationalist candidates to the ministry westward to Williams, so that in 1823 we find that about half of the 78 students were ranked as "pious." The revival spirit centered here as it did not in Harvard. All the ministerial students were in a theological society and for several years held meetings in a moral wilderness near the college, and some students assisted in the town Sabbath school. The students attended the Sunday morning concert and the Saturday evening prayer meeting in good numbers.⁹⁶ The spirit of the institution was well characterized by Dr. Griffin in his *Inaugural* in 1823:

"And the many prayers which are daily offered up for its success, confirm the hope, that, as it has been, so it will continue to be, the fountain whence streams shall annually issue to make glad the city of God."⁹⁷

Amherst College was due to the desire of the orthodox Calvinists for a college which would not be Unitarian as

⁹² *Acts*, 1793, chap 15.

⁹³ Bush, p. 226.

⁹⁴ Buck, p. 179.

⁹⁵ *40th Annual Report of the Bd. of Ed.*, 1875-1876, Appendix, p. 66.

⁹⁶ *Boston Recorder*, March 15, 1823, p. 42.

⁹⁷ *Boston Recorder*, Feb. 22, 1823, p. 32.

Harvard and would be more accessible to the central portion of the state than Williams. In 1815 the Franklin County Association of Ministers made the decision for a college to be located at Amherst, and it was dedicated the same year.⁹⁸ On February 13, 1816, the institution received a charter as an academy, "for the purpose of promoting morality, piety, and religion, and for the instruction of youth. . . ." ⁹⁹ Later in the year a half township of land was granted.¹⁰⁰

Meantime the inconvenient location of Williams over the mountains from the rest of Massachusetts had led to a consideration of a removal to a more central location and in 1819 the college actually petitioned the legislature for removal to Northampton. One reason on which the petition was based was that a college in the western part of the state would "promote the interests both of religion and literature in the western counties."¹⁰¹ In order to promote the design of training ministers which had influenced the establishment of Amherst Academy, a meeting was held on September 29, 1818, at which the Congregational and Presbyterian clergy of Hampden, Hampshire, Franklin, and western Worcester counties were present and started a movement for a \$50,000 subscription for the purpose.¹⁰² Thus originated the charity fund, "for the classical education of indigent pious young men with the sole view to the Christian ministry."¹⁰³ A *Constitution and System of By-Laws* under which subscriptions were solicited mentioned the possibility of union with Williams and stated payments were to be made to the trustees of Amherst and if Williams College moved it would be joined in the fund.¹⁰⁴ On this

⁹⁸ *40th Annual Report of the Bd. of Ed.*, Appendix, p. 68.

⁹⁹ *Laws, 1815*, chap. 102.

¹⁰⁰ *Supra*, p. 163.

¹⁰¹ *Report of the Committee appointed to inquire into Facts relative to the Amherst Collegiate Institution*, pp. 37-39.

¹⁰² *40th Annual Report of the Bd. of Ed.*, Appendix, p. 69.

¹⁰³ *Amherst Academy v. Cows*, 6 Pick. 427.

¹⁰⁴ *Report of Committee, Amherst Coll. Insti.*, p. 18.

foundation Amherst College was established and the Court later decided Amherst could collect on these subscriptions.¹⁰⁵ Doubtless some of them were really made for the benefit of Williams after its removal, and when Williams did not move friction developed, and a strong opposition was made to the incorporation of Amherst College.

On September 18, 1821, Dr. Moore became president of the institution and on the following day 47 students began college studies.¹⁰⁶ The institution was under the direction of the Amherst Academy trustees, and especially emphasized moral and religious development in preparation for the ministry. Among the texts were the *Greek Testament*, Paley's *Evidences*, Paley's *Natural Theology*, and *Vincent on the Catechism*.¹⁰⁷ In 1823 there were 98 students, about 50 of whom were "pious." The institution boasted a theological society, a missionary society, and a Jews society. Prayer meetings were held Sabbath mornings and Saturday evenings, and conference meetings for the people of the town Sabbath evenings and during the week. About 20 students helped teach in the town Sabbath school.¹⁰⁸

After the General Court had once refused a charter, President Moore wrote a letter to the public, explaining that the Amherst Collegiate Institution was separate from the Academy and gave the same course of study as the oldest colleges of New England; that the friends of learning and piety of different denominations had subscribed to its funds; that objections to its religious character had been made by some "liberals" but none by "professed friends of vital piety of any denomination;" that though evangelical it was established on perfectly liberal principles and different denominations were represented on the Board of Trustees and in the student body.¹⁰⁹ When a second peti-

¹⁰⁵ *Amherst Academy v. Cows*, 6 Pick. 427.

¹⁰⁶ Heman Humphrey, *A Sermon Delivered at the Dedication of the College Chapel*, Feb. 28, 1827 (Amherst, 1827).

¹⁰⁷ *Boston Recorder*, Jan. 26, 1822, p. 16; *Catalogue*, 1822 (Greenfield), pp. 10-11.

¹⁰⁸ *Ibid.*, March 15, 1823, p. 42.

¹⁰⁹ *Boston Recorder*, March 15, 1823, p. 42.

tion was presented in June, 1823, care was taken to say it gave "an elevated College course — not Theological."¹¹⁰ President Humphrey termed the opposition "powerful and respectable and active."¹¹¹ An official committee report has since said that the charter was refused because of jealousy that it might become a "nursery of orthodoxy and exclusiveness."¹¹² All of this seems to indicate that a Harvard Unitarian control of state politics was at first back of the refusal and lends color to the story of Bush that the Calvinists had to go into the elections in support of the Democrats to offset the Unitarian influence, and that the Democratic governor did later say he believed in the doctrine of election.¹¹³ Although both the other colleges had received charters and state aid, and were giving religious education of a more or less sectarian character, Amherst was refused even a charter, doubtless because it was then believed that to confer a charter made it a public institution and placed the state under obligation to render it financial assistance. Denominational and college rivalries rather than the development of new principles of the relation of the state to religious education accounted for the refusal.

When the second petition was under consideration in 1823, the opposition came from Williams College, itself a Calvinistic institution, on the ground that Williams would continue its important aid to literature and religion, and a third college would cause too great a drain on the public funds if the present colleges received what they needed.¹¹⁴ At this time it appears that Harvard was not objecting and that there was some local opposition at Amherst.¹¹⁵ The Senate debate showed no Unitarian opposition and in

¹¹⁰ *Petition of the Founders and Proprietors of Amherst Institution, presented June 5, 1823* (Boston, 1825).

¹¹¹ Humphrey, *Sermon at Dedication of College Chapel*.

¹¹² *H. R. Doc. 130, 1849*.

¹¹³ Bush, pp. 250-258.

¹¹⁴ *Memorial of the Trustees of Williams College, Dec. 24, 1823*.

¹¹⁵ *Comments on the Memorial from Williams College*.

fact a Unitarian, the Hon. Mr. Leland, argued that the orthodox Congregationalists and Baptists would be aggrieved and that the refusal last year had made many friends for them, and that they were entitled to the institution. No objection appeared in the debates on religious grounds, while several speakers referred to the advantage it would be to religion and piety. The Hon. Mr. Fiske asserted that if it were refused, people would say:

"You incorporate theaters; you have incorporated an association for the cure of horses; have you more regard for horses than for human souls? You have incorporated a riding school; you incorporate hotels; instance, the one at Nahant. Are you more accommodating to bacchanalian institutions, than to such as are designed to promote the great interests of literature, science, and religion?"¹¹⁶

But the matter was postponed in the House of Representatives by the appointment of a committee to investigate the affairs of the institution. This committee sat for two weeks at Amherst and listened to counsel for Williams College and investigated particularly the financial backing. The most of the opposition was from Williams and the committee believed it best for the two to unite, but that such action was impossible then. They reported a bill for incorporation, with a proviso that Williams might join within seven years.¹¹⁷ In consequence of this report a charter was granted in 1825, providing for a corporation not to exceed 17, of whom five were to be the choice always of the legislature; ten members of the corporation were to be laymen; no religious test was ever to be required of instructors or students; and the General Court might alter the charter or appoint overseers.¹¹⁸

The institution had the same natural theology, moral philosophy, compulsory church and chapel as other institutions. When in 1827 a new course was adopted by the

¹¹⁶ *Substance of a Discussion in the Senate, Jan. 21, 1824.*

¹¹⁷ *Report of Committee, Amherst Coll. Insti.*

¹¹⁸ *Laws, 1824, chap. 84.*

Board of Trustees as a future goal, it provided for classical and scientific courses, a modern language course, a department of the science and art of teaching, and a department of theoretical and practical mechanics. But theology was to be common to the old and new courses.¹¹⁹ A comparison of the curricula of Amherst and Williams in 1826 shows that the two colleges taught very similar religious and theological courses. Both required the *Greek Testament* for admission. At Williams sophomores used Blair's *Lectures* and the *Greek Testament*; juniors used Paley's *Evidences of Revealed Religion*; and seniors Paley's *Natural Theology*, Leslie's *Letters on Deism*, Paley's *Moral Philosophy*, and Vincent on the *Catechism*.¹²⁰ Juniors at Amherst used Paley's *Natural Theology* and *Evidences of Christianity*; while seniors had theological lectures by the President during the year, in addition to Butler's *Analogy* and Paley's *Moral Philosophy*.¹²¹ The character of most of these books is apparent from the title or from descriptions previously given. It might be added that Butler's *Analogy* was written by a Protestant Episcopal clergyman, and attempted to derive natural and revealed religion from the constitution of nature. It discussed such topics as the future life, the government of God, moral discipline, Christianity, mediation and redemption, and particularly aimed to present the evidence for Christianity.¹²²

In order to show how far the state supported the work of these colleges, which were giving a religious type of education, the following tabulation, estimated in part, is presented.¹²³

¹¹⁹ *Two Reports on the Faculty of Amherst College, to the Board of Trustees* (Amherst, 1827), pp. 10-15.

¹²⁰ *Catalogue, 1826*, pp. 17-20.

¹²¹ *Catalogue, 1826* (Amherst, 1826).

¹²² Joseph Butler, *The Analogy of Religion Natural and Revealed to the Constitution and Course of Nature* (3d Am. ed., Hartford, 1819).

¹²³ The general sources are: *H. R. Doc. 26, 1832*; *H. R. Doc. 28, 1827*; *Laws, 1813*, chap. 150. For Williams, *H. R. Doc. 112, 1848*. The estimated value of the land grants in Maine was a rough estimate

GRANTS AND APPROPRIATIONS TO COLLEGES, 1780-1837

HARVARD

Lottery, 1794, authorized for	\$ 8,000
Lottery, 1806, authorized for	30,000
Income from ferry, estimated	34,200
Bank tax, 1814-1824	100,000
	<u>\$172,200</u>

WILLIAMS

Appropriations, 1793, £1,200, estimated	\$ 4,000
Lottery, yielding	3,459.68
Maine land grants, estimated 1832 value	68,448
Bank tax, 1814-1824	30,000
	<u>\$105,907.68</u>

BOWDOIN

Maine land grant, estimated 1832 value	\$276,672
Bank tax, 1814-1824	30,000
	<u>\$306,672</u>

AMHERST

None

Harvard received no land grants during the period, but had received land in the colonial period. By the time Amherst was eligible, the policy of giving land had changed, as we have seen in the case of the academies. The bank tax was on the Massachusetts Bank and in the title of the

made in 1832 by the Land Office, aiming to include the unearned increment at the date, but far higher than the sums ever received by the colleges. The Harvard lotteries were granted by *Acts*, 1794, chap. 1, and *Laws*, 805, chap. 115. The income to Harvard from transportation over the Charles River was based on the grant of the ferry in 1640. Upon the incorporation of the Charles River Bridge Company and their authorization to bridge the river, they were made to pay £200 annually in satisfaction of the injury to the ferry rights of the college, for forty years, and thereafter the bridge was to belong to the Commonwealth and it would assume a reasonable indemnity. It is impossible to determine in dollar value the exact amount of these payments. The charter is given in *Mass. Special Laws*, I, p. 93. Later the Proprietors of the Warren Bridge had to share the above payment, by *Laws*, 1827, chap. 127. After the Commonwealth took over the bridge, a lump sum settlement of back payment was made and an annuity of \$666.66 provided, by *Resolves*, 1847, chap. 98.

act was said to be "for the encouragement of literature, piety and morality, and the useful arts and sciences." It was specified that one fourth of the proceeds should be devoted to the partial or total reduction of tuition of students who applied. Thus in a sense it was the forerunner of later state scholarships.¹²⁴

The refusals to grant were as instructive as the grants. When Amherst petitioned in 1827, because of its debt, and need for a chapel, and a desire to establish scientific courses and teacher training, the committee reported it would be better if Amherst and Williams could unite, but that the institutions should be cherished despite "recent collisions." But Amherst was given leave to withdraw because of the present state of finances of the Commonwealth.¹²⁵ Despite favorable committee reports in 1827 and 1831, and the reporting of resolves for appropriations in 1831 and 1832, the legislature refused to make an appropriation.¹²⁶ Resolves for both Williams¹²⁷ and Amherst¹²⁸ failed to secure favorable action in 1837, though the committee pleaded that Amherst should have justice after her "formal and guarded adoption into the family of literary institutions" and that Massachusetts should send out men with the religion, customs, and habits of Massachusetts to accompany her native exports of ice and granite. In the following year the committee lamented that "the sons of Hampshire, who have been no niggards of their means to forward the glorious cause of literature, piety, and virtue, are now shut out from receiving their share of the public favor," although the college was teaching pious and moral principles and training Christian ministers.¹²⁹

The history of the relation of the state to colleges until 1837 shows that financial support was given until 1825, after which as in the case of academies the policy changed

¹²⁴ *Laws*, 1813, chap. 150.

¹²⁵ *Sen. Doc.* 15, sess. 2, 1826-27.

¹²⁶ *H. R. Doc.* 11, 1832.

¹²⁷ *Sen. Doc.* 39, 1837.

¹²⁸ *Sen. Doc.* 37, 1837.

¹²⁹ *H. R. Doc.* 45, 1838.

in favor of the common schools. During this period Harvard became less sectarian through changes in the spirit and content of its work and the attempts to make ministers of all denominations eligible to the Board of Overseers indicates a growing tendency to depart from sectarianism. But the Unitarian control fostered the development of Williams and Amherst, where the spirit and curricula were more orthodox. Thus both Harvard and Williams, sectarian controlled institutions, received state aid. The prohibition of religious tests in Amherst marks a desire to avoid a religious exclusiveness which had never been successfully introduced in Massachusetts, although there had been attempts to impose a test in Harvard. It was coincident in time with the sectarian book law, but was not intended to prevent sectarian teaching. The refusal to grant money to Amherst was dictated partly by prejudice and partly by a policy preferring the common schools. It was not due to an objection to aiding sectarian instruction, as Wesleyan Academy received a grant at the same time. Hence we may say that throughout the period the state acted on the principle that it should give reasonable support to institutions where religion was taught, even though there was sectarian control and teaching.

Though the theological institutions were in some cases connected with institutions receiving state aid or supervision, practically the only state interest was with reference to their incorporation and the matter of religious tests. No financial aid was given for purposes of theological education. In 1819 the Theological School was organized in Harvard by grouping four previous professorships.¹³⁰ Funds were secured by an organization which in 1826 received a charter as The Society for the Promotion of Theological Education, which retained for Harvard a partial management of the funds and regulations of the theological institution. The charter further provided:

" . . . that no assent to the peculiarities of any denomi-

¹³⁰ Quincy, II, pp. 311-312.

nation of Christians be required, either of the instructors or students in said institution, and that no discouragement be in any manner or form given therein to the serious, impartial, and unbiased investigation of Christian truth.”¹³¹

We have seen that the Andover theological institution started as a Calvinistic offshoot from Phillips Academy. Meantime a slightly different theological school known as Hopkinsians started a fund for theological education, and in 1808 the latter joined the Calvinistic school at Andover as associated founders,¹³² but prescribing a creed to be subscribed to by every professor. It was judicially determined that Phillips Academy could collect these associated foundation subscriptions and legacies.¹³³ When in 1814 Phillips Academy was authorized to hold a larger endowment for the theological institution, it was provided that no student should be denied its privileges because he differed from its creed.¹³⁴ No mention of a religious test was made in the incorporation of the Baptist Newton Theological Institution on February 22, 1826.¹³⁵

¹³¹ *Laws, 1825*, chap. 67.

¹³² Walker, pp. 347-354.

¹³³ *Trustees of Phillips Academy v. King*, 12 Mass. 549-552.

¹³⁴ *Laws, 1813*, chap. 125.

¹³⁵ *Laws, 1825*, chap. 96.

CHAPTER VII

THE COMPLETE ELIMINATION OF SECTARIAN PUBLIC EDUCATION, 1837-1855

THE period under consideration was the one in which the subject of religious education in the public schools was attracting more attention than at any other time, not only in Massachusetts, but also in other states, especially New York. During this period in Massachusetts the fundamental principles were worked out which have since been applied, though not to the satisfaction of all. The complete elimination of sectarian instruction from publicly supported common schools was due to the development of an efficient system of secular schools by the state, the increase in types of religious faith professed by the citizens of Massachusetts, the influence of deistic and Unitarian ideas upon the school system, and indirectly but most decisively the sudden increase in the Roman Catholic population.

The new legislation for a more efficient system of common schools was the natural fruition of the growth stimulated a decade earlier by James G. Carter. The financial basis of the structure had been laid in the creation of the Massachusetts School Fund in 1834. A further step was the statute passed April 12, 1837, authorizing district schools to tax to maintain a library. Nothing was specified in regard to the purchase of books of a religious character,¹ but the purchase of sectarian books was already prohibited by the law of 1827. In 1842 state aid to the extent of \$15 was given to every school district annually, provided it raised an equal amount.²

The movement for state supervision of education was brought forcibly to the attention of the General Court in

¹ *Acts*, 1837, chap. 147.

² *Acts*, 1842, chap. 74, sec. 2.

February, 1836, by a memorial of the American Institute of Instruction, asking the appointment of a superintendent of common schools. This document emphasized the value of the common schools for character formation and citizenship training, rather than the old religious aims. It maintained that such an official could aid the schools by means of improving teachers; by providing training for teaching; by information on the position, construction, and furniture of schools; by ways and means of encouraging schools; by comparisons with European systems; by recommendations for adaptation of the schools to agriculture and manufacturing; and by training in morality to offset crime.³ This shows that the aim was secular rather than religious. As a result a bill was reported for the creation of such an office, in preference to a project for a seminary for teacher training.⁴ But it was not until April 20, 1837, that the project was accomplished in the creation of the Board of Education, made up of eight persons in addition to the Governor and Lieutenant-Governor ex-officio. The Board was to make an annual abstract of the school returns and appoint a Secretary at an annual salary not to exceed the munificent sum of \$1,000, whose authority was limited to collecting and diffusing information. The Board could make recommendations.⁵ In the selection of the original Board religious views were an important consideration, and political affiliations were a secondary matter. Governor Everett was a Whig Unitarian clergyman and graduate of Harvard; George Hull served ex-officio as Lieutenant-Governor; Edmund Dwight was a wealthy Unitarian financier greatly interested in the establishment of Normal Schools; Jared Sparks was formerly a Unitarian minister and later President of Harvard; Rev. Emerson Davis and Rev. Thomas Robbins were active orthodox Congregational clergymen and graduates of Williams; E. A. Newton of

³ *H. R. Doc.* 27, 1836.

⁴ *H. R. Doc.* 54, 1836.

⁵ *Acts*, 1837, chap. 241.

Pittsfield was an active Protestant Episcopalian layman; Robert Rantoul Jr. was selected as a Democratic member of the legislature, and James G. Carter and George Putnam as Whig members. In the last three cases religion played no part, but the appointment of Carter was also a worthy recognition of his untiring efforts for a better school system. He had drafted and reported as chairman of the committee the bill for the State Board. While equality appeared to be shown in the strictly religious appointments, the net result was that a majority of the Board was Unitarian, but became orthodox through subsequent resignations and appointments.⁶ While the original Board did not represent the religious population of the state, it doubtless represented the interest in education.

At the first meeting of the Board of Education in Boston on June 28, 1837, Horace Mann, a Unitarian lawyer and then President of the Senate, was chosen Secretary, and he speedily became the directing mind of the system.⁷ Born to strict Calvinism, he had broken away to the Unitarian belief and carried with him a detestation of much of the old system. Though a Whig in politics, he was a radical by temperament in the espousal of new humanitarian issues, and had a strong sense of popular sovereignty. His serious moral earnestness and facility in penning voluminous defenses of what he believed to be the truth, coupled with a combative and highstrung temperament, made him the storm center in Massachusetts religion and education for a few years and tended to obscure his really great services to education. Education, especially moral education, became his great passion.⁸

Before proceeding to the controversial work in which

⁶ *Appleton's Encyclopaedia of American Biography*; 1st Annual Report of the Bd. of Ed., 1838, p. 17; Horace Mann in *The Christian Register*, June 22, 1844, p. 95.

⁷ *Christian Review*, V. 1840, p. 396.

⁸ Martin, *Evolution* etc., pp. 157-185; William H. Burnham in *School and Society*, Sept. 3, 1921, p. 110.

Mann engaged, it is necessary to have some idea of what beliefs were then current as to the part religion should play in the public schools. In his *Inaugural* as President of Amherst in 1823, President Humphrey undoubtedly voiced the popular attitude as follows:

“Let any system of education, which leaves out God and the scriptures, prevail in your families, schools, and colleges, and what would be the consequences? How long would you have any domestic circles to love, or to live in? How long would children reverence their parents, or listen to the voice of their teachers? The truth is, moral habits and religious sanctions, cannot be dispensed with. . . . And let that system of religious education which is begun in the family, be carried into the primary school, from thence into the academy, and up to the public seminary.”⁹

But President Humphrey had no idea of giving the religious education entirely over to the state, for in speaking in Philadelphia in 1831 before the American Sunday School Union, he placed the duty first on the parents, and said the Union was necessary because parents neglected their duty. The only union of church and state which the friends of Sabbath Schools desired or would permit was that union which made every patriot a Christian and every Christian a patriot.¹⁰ It is further interesting to note that President Humphrey took a position similar to the present Catholic one of parental rights, holding that the father was the ruler of his household, accountable only to God; that the state might interfere only in case of extreme neglect or abuse; and that the parent might send the children to school for a part of their education if he considered it to their advantage.¹¹

A review published in 1836 insisted on the right and

⁹ Heman Humphrey, *Miscellaneous Discourses and Reviews* (Amherst, 1834), pp. 223-255.

¹⁰ *Ibid.*, pp. 113-136.

¹¹ Heman Humphrey, *Domestic Education* (Amherst, 1840), pp. 16, 18.

obligation of every teacher in the public schools to instruct children in the fear of God, and that every one would "receive hereafter according to the deeds done in the body," whether freethinkers liked it or not.¹²

One of the first activities of Mann as Secretary of the Board was the holding of county conventions, in which he first expressed his views and became better acquainted with the situation. A lecture which he delivered to these bodies bore a distinctly religious tone. He spoke of the child as created in the image of God and said the voice of Nature forbade the infliction of pain or discomfort during study. He favored school libraries, but not books favoring the views of a sect or party. He believed that children when they grew up would adopt right opinions so far as it was possible if teachers would follow this injunction:

"Strengthen the intellect of children, by exercise upon the objects and laws of Nature; train their feelings to habits of order, industry, temperance, justice; to the love of man, because of his wants, and to the love of God, because of his universally acknowledged perfections; . . ." ¹³

The above well illustrates the point of view which Mann was destined to champion ardently during his relation to the Massachusetts school system. His emphasis on Nature with a capital indicates his attraction toward deism; there was nothing which went beyond the tenets of Unitarianism; but it was a moral education definitely related to religious education, and Mann never desired to exclude religious education in this sense from the schools.

In his first *Annual Report* Mann again emphasized moral instruction, on the basis of the 1789 statute, and because the statute of 1827 had in practice excluded all religious books "to prevent the school from being converted into an engine of religious proselytism; to debar successive teachers in the same school, from successively inculcating hostile religious creeds, until the children in their simple-

¹² *The Christian Witness and Church Advocate*, Jan. 3, 1845, p. 184.

¹³ Mann, *Lectures on Education*, pp. 11-35.

mindfulness should be alienated, not from creeds, but from religion itself." He deplored the fact only three books in use in six schools taught ethics and natural religion.¹⁴ Horace Mann had now replaced the conscience of the school committeeman in the enforcement of the sectarian book law.

That the Calvinists were watchful against a possible attempt to make the schools teach Unitarianism rather than orthodoxy soon developed in connection with the application of the sectarian book law to school libraries. F. A. Packard of the American Sunday School Union of Philadelphia had prepared a Select Library for Common Schools and had written to Governor Everett about its introduction into Massachusetts schools. Everett and Mann decided that it was sectarian and unsuitable for the purpose and so informed the agent in Boston. Then Mr. Packard sent directly to Mann *The Child at Home*, which had been used in the schools of Geneseo, New York.¹⁵ On March 18, 1838, Mann replied that the book would not be tolerated in Massachusetts; that it would particularly offend over 100 societies of Universalists, whose clergy were greatly interested in the schools; that it emphasized too much the idea of future retribution; and that he would rather see the whole system abolished than have such a book introduced.¹⁶

To secure the introduction of a different type of school library books, without arousing a sectarian jealousy which he felt was hampering the application of the law of 1837, Mann on March 27, 1838, submitted to the Board a plan for a Common School Library free from political and partisan views. To secure this end, the approval of every member of the Board to all books included was required. Mann believed it was well to enlarge the narrow views of those having slight contact with the world, especially in matters

¹⁴ 1st Annual Report of the Bd. of Ed., 1838, pp. 58-65.

¹⁵ Packard to Mann, July 9, 1838.

¹⁶ Mann to Packard, Mar. 18, 1838.

of religion and science.¹⁷ This proposition caused the only sectarian difference in the Board, and the resignation of E. A. Newton, the Episcopalian, who wanted doctrinal religion taught. He was the only member who stood for this, and resigned because unanimous approval of all books was required, to exclude such books from the Library.¹⁸

But Mr. Packard persisted in the attempt to have some of his books introduced and at a personal interview in Boston Mann gave him a letter he had previously written without mailing, stating that a speller submitted was ineligible because it taught the doctrine of future rewards and punishments and the doctrine of special providence. He also stated that revealed religion could not be safely connected with a system of public instruction. From Boston Mr. Packard journeyed to New Bedford, where the Congregational clergy were in session as the General Association of Massachusetts. In the course of a speech there he waved the letter and said:

"If this class of opinions is to prevail at the Board of Education, it becomes ministers of the gospel and Christian people throughout the Commonwealth to see to it."

Rev. Mr. Robbins of the Board was present and said they had only agreed not to recommend any book without the concurrence of all; ¹⁹ Mann demanded the return of the letter, and an explanation of the reputed statement that the Board would recommend books for schools that were anti-evangelical.²⁰ In a subsequent letter Mann thus stated his attitude:

"The great idea is, that those parts of doctrine, or faith, upon which good, and great men differ, shall not be obtruded into this neutral ground of 'The Schools.' The children of men of all denominations attend the school

¹⁷ Mann, *Lectures on Education*, pp. 269-302.

¹⁸ *The Christian Register*, June 22, 1844, p. 95; *The Christian Witness and Church Advocate*, March 29, 1844, p. 21.

¹⁹ Packard to Mann, July 9, 1838.

²⁰ Mann to Packard, July 5, 1838.

together. If one man claimed to have his peculiar doctrines taught, why not another? Why not all? until you would have a Babel of creeds in the same school, which a Heathen would be ashamed of.”²¹

In his second *Report* Mann alluded to the fact that no religious or moral instruction was given in the schools, because committees could not find books on the doctrines of revealed religion which were free from the tenets of particular sects. But he added:

“Of course, I shall not be here understood, as referring to the Scriptures, as it is well known, that they are used in almost all the schools, either as a devotional or as a reading book.”²²

Mann’s purpose here was to expose a lack of moral and religious instruction which he deplored, and not to try to exclude books which were within the law. But Mr. Packard had addressed an anonymous pamphlet to Dr. Humphrey, and out of this a misunderstanding of Mann’s real purpose developed which vexed him for years. The first attack was a series of articles in the *Boston Recorder*, by Mr. Storrs of Braintree, which from the orthodox point of view charged that Mann was trying to oust the Bible and religion from the common schools. Mann conferred with Louis Dwight and Mr. Miller, the editor, and then wrote to Storrs, explaining that the Board had no direct or indirect authority over school books, and that before the Packard pamphlet was published they had provided for Bible reading in the Normal Schools.²³

But this organ of orthodoxy maintained a guarded position of watchfulness, and while complimenting the Board and Secretary, suggested using ministerial associations, church conferences, social prayer meetings, the periodical press, and the pulpit in developing sentiment for the new movement, and insisted that “the grand doctrines of the

²¹ Mann to Packard, July 22, 1838.

²² *2d Annual Report of the Bd. of Ed.*, 1838, p. 78.

²³ Mann to Mr. Storrs of Braintree.

Gospel must be regularly and clearly taught.”²⁴ After perusing his *Report*, the Recorder commended much of it, but wished he had referred to teaching natural depravity, transformation by the renewing of the Holy Spirit, and secret prayer. It believed public sentiment demanded education under the control of a manly piety which considered life a preparation to fit for singing with the seraphims or wailing with the devil and his angels. For the cordial coöperation of a great portion of the people it believed the Bible must be taught in the schools, insisting on the great facts of man’s moral ruin, his need of a Redeemer, of regeneration, and sanctification.²⁵ A correspondent suggested a sort of local option in the districts, teaching Universalism or the Assembly’s *Shorter Catechism* according to the will of the majority. In regard to the sectarian book law, this correspondent wrote:

“If their object was to exclude books which teach the leading doctrines of Protestantism; or, to be more definite, the leading doctrines held by the Pilgrim Fathers of New England; or, to be more definite still, the prominent truths embraced by the evangelical churches of Massachusetts, then it is no matter how soon the law is repealed.”²⁶

In the third *Annual Report* Mann gave a detailed statement of the status of the School Library. With the approval of the Board the firm of Marsh, Capen, Lyon, and Webb had published ten volumes. It was merely to guide the districts in their choices and did not in any way restrict their liberty. The schools should teach the religious views of Christian faith common to all, and there was no danger that the School Library would turn out to be “a sinister effect, either positive or negative, in reference to religious instruction.” The Board was applying the sectarian book law to libraries, but was not excluding books in which “scientific research is made subservient to the

²⁴ *Boston Recorder*, Jan. 18, 1839.

²⁵ *Ibid.*, Mar. 22, 1839.

²⁶ *Ibid.*, Mar. 1, 1839.

establishment and illustration of moral and religious truth." A school committee could still put in theological books without interference from the Board, but the latter regarded such action as inexpedient and illegal. Among the books of the School Library were Paley's *Natural Theology* and Duncan's *Sacred Philosophy of the Seasons*. Much of the report was devoted to a stinging criticism of the romantic trashy stuff found in most of the libraries of the state, because pernicious reading separated emotional feeling from action.²⁷

The content of these two books is sufficient evidence that there was absolutely no desire to exclude religious material. The *Natural Theology* was a book commonly used in colleges and academies of a strictly orthodox character, and has been previously described as developing from the analogy of Nature the personality and attributes of the Deity.²⁸ The second volume was a sort of encyclopaedic array of natural knowledge, of a religious character and tendency, illustrating the perfections of God in the phenomena of the year. It was the product of a Scotch evangelical divine, but the American editor had adapted it to American readers by eliminating some parts which might offend different religious denominations. It referred to the Supreme Intelligence, and the Great Designer, and was intended to teach a love of Nature.²⁹

All the above was entirely in accord with Mann's principles as otherwise expressed. In his lectures before the county conventions of teachers in 1840, he said:

"And, finally, by the term education, I mean such a culture of our moral affections and religious susceptibilities, as, in the course of Nature and Providence, shall lead to a subjection or conformity of all our appetites, propensities and sentiments to the will of Heaven."³⁰

²⁷ *3d Annual Report of the Bd. of Ed.*, 1839, pp. 12-17, 47-82.

²⁸ *Supra*, p. 143.

²⁹ Henry Duncan, *Sacred Philosophy of the Seasons*, F. W. P. Greenwood, Am. ed., 4v. (Boston, 1839).

³⁰ Mann, *Lectures on Education*, p. 118.

In his propaganda publication he quoted an extract from the Congregationalist Horace Bushnell as follows:

"Education without religion, is education without virtue. Religion without education, or apart from it, is a cold, unpaternal principle, dying without propagation. . . . The great point with all Christians must be, to secure the Bible in its proper place. To this as a sacred duty all sectarian aims must be sacrificed. Nothing is more certain, than that no such thing as a sectarian religion is to find a place in our schools. It must be enough to find a place for the Bible as a book of principles, as containing the true standards of character, and the best motives and aids to virtue."³¹

The Normal Schools afforded a second point of attack against the activities of the Board of Education. One reason for this was that they entered a field which had previously been worked by the academies and there was a natural jealousy; parsimonious citizens thought of the extra expense; and religious zealots saw a design to remake the school system through the training of teachers in educational attitudes and methods which would favor the Unitarian system of thought. On April 19, 1838, the General Court accepted the gift of \$10,000 from Edmund Dwight and appropriated an equal sum for use "in qualifying teachers for the Common Schools in Massachusetts."³² Although many academies applied to be designated as Normal Schools, the Board on December 28, 1838, decided on the Lexington Normal for women and Barre Normal for both sexes. Shortly afterward a course of study of from one to three years was provided, including ethics and the principles of Christianity.³³ These schools were under the direct control of the Board as other schools were not.

The growing hostility to the new system being developed under the efficient leadership of Mann suddenly came to action, when on March 3, 1840, the House ordered the

³¹ *Massachusetts Common School Journal*, II, Feb. 1840, pp. 57-60.

³² *Resolves*, 1838, chap. 70.

³³ *Christian Review*, 1840, pp. 405-419.

committee on education to consider the expediency of abolishing the Board of Education and the Normal Schools.³⁴ Four days later with only a few hours previous notice to a minority of the committee, the majority reported a bill to abolish both and attempted to force it through without debate.³⁵ The reasons alleged for this action were: a Prussian centralized system which interfered with the principles of local control in American schools; the obvious difficulty of a central board attempting to introduce theological and religious subjects by one fixed plan in a country where sectarian views differed; the questionable policy of the state usurping the function of the parent in molding the political, moral, and religious opinions of his children; particularly the violation of the above by the School Library; the skepticism which would be worse than sectarianism if an impossible and undesirable attempt were made to keep the school free of sectarianism. The committee would leave the matter to local school committees. As a matter of fact, it then rested there, as the work of the Board was only advisory. The committee recommended the abolition of the Normal Schools, because the academies and high schools did the work without expense to the Commonwealth.³⁶

Later a minority report in defense of the Board and the Library was filed. It characterized the *Natural Theology* as one of the soundest treatises ever written, of such a character that no one could tell whether the author was orthodox or heterodox, churchman or dissenter; it stated that the 1827 statute required piety but forbade sectarianism, and that the majority of the committee seemed to believe this impossible.³⁷ Hon. J. A. Shaw, one of the minority members, pointed out that no book could be published by recommendation of the Board, except with

³⁴ *H. R. Doc.* 49, 1840.

³⁵ Barnard, *American Journal of Education*, V, p. 638.

³⁶ *H. R. Doc.* 49, 1840.

³⁷ *Massachusetts Common School Journal*, II, 1840, pp. 230-234.

the approval of members of both political parties and of four denominations of Christians.³⁸ The result was that the attempt to thwart progress in the schools of Massachusetts failed.

The point at issue in the religious controversy was not whether the schools of Massachusetts should teach religion; no one entered the controversy to oppose that, and least of all Horace Mann.³⁹ But it was a question as to whether sectarianism should be taught; and once the attempt was made to exclude that, each man followed his own definition. Here lay the difficulty in teaching religion of an unsectarian character. Whatever was taught, from the point of view of some one it was sure to be sectarian.

For several years after the attempted abolition of the Board there was less acrimonious dispute, and it is possible to understand some of the calmer views of the denominational leaders. The *Christian Review* was at this time edited by Barnas Sears, a Baptist and subsequently Secretary of the Board. He favored the compulsory education of all to a certain extent, with the state paying where parents were too poor. The sectarian book law practically prohibited religious ideas in schools, but he believed lessons

³⁸ *Ibid.*, pp. 240-246.

³⁹ Before the county conventions in 1842 Mann said: "In fine, that the sublime idea of a generous and universal education, as the appointed means, in the hands of Providence, for restoring mankind to a greater similitude to their Divine Origin, is but just dawning on the public mind."—*Lectures on Education*, pp. 215-268. In a Fourth of July Oration before the Boston city authorities in 1842 Mann repeated his fundamental position: "The lives of great and good men should have been held up for admiration and example; and especially the life and character of Jesus Christ, as the sublimest pattern of benevolence, of purity, of self-sacrifice, ever exhibited to mortals. In every course of studies, all the practical parts of the Gospel should have been sacredly included; and all dogmatical theology and sectarianism sacredly excluded. In no school should the Bible have been opened to reveal the sword of polemic, but to unloose the dove of peace."—*An Oration delivered before the Authorities of the City of Boston, July 4, 1842.*

of morality and religion were an indispensable part of the education of a Christian people. But because of Sabbath School instruction, only "elementary and mechanical" religious instruction was necessary in common schools. He preferred district to state control because of the danger that one sect might gain control, and while respecting the Board, he feared centralization and preferred to train teachers in academies. About all the institutions above common schools were under sectarian control, even if not sectarian in teaching. But he favored state aid to all of these, even if they should prove the means of spreading unsound religious principles. Religious liberty and the diversity of sects made exclusive legislative control impossible in higher education.⁴⁰ This statement is significant as a failure of the Baptists to carry to its logical conclusion the principle of separation of church and state enunciated by Roger Williams, and also showing that a future Secretary was definitely committed to state support of even sectarian instruction.

Objection to a centralized system which might mold the hearts of children as it would and interfere with the God-given parental authority was voiced by the school committee of Grafton in its report.⁴¹

It will be recalled that the American Institute of Instruction had been instrumental in the establishment of the Board of Education, and therefore the lectures delivered before it by prominent men deserve attention as indications of current thought. That the question began to shift to the use of the Bible itself is indicated by the addresses. President Humphrey of Amherst, who became a member of the Board of Education, insisted on the education of the heart and conscience as well as the intellect; and because all did not get it in home or church, he scored those who would banish religion from the public schools. He believed re-

⁴⁰ *The Christian Review*, VI, 22-29.

⁴¹ *Report of the School Committee of the Town of Grafton, 1841*, p. 5.

ligion possible without sectarianism. "There are," said he, "certain great moral and religious principles, in which all denominations are agreed, such as the ten commandments, our Savior's golden rule, everything, in short, which lies within the whole range of duty to God and duty to our fellow men. . . . Verily, if this is what any mean by sectarianism, then the more we have of it in our common schools the better." He believed no instructors should be employed not able and willing to teach morality and religion without making Episcopalians, Baptists, Presbyterians, or Methodists. He advised daily Bible reading and prayer in schools, but would not insist upon it because teachers were not qualified. The sectarian book prohibition was probably necessary, but at any rate natural and revealed religion should be included in books and where all were of one faith, they should have the right to use any book they pleased. The Bible did not contain sectarian creeds and it must not be excluded from the schools.⁴² Thus this eminent leader of the orthodox Congregationalists was taking a position differing from Mann only very slightly in favor of sectarian teaching where there was no local objection.

Similarly Professor Stowe of Cincinnati insisted on the necessity of religious instruction, and its possibility without violating the rights of conscience. He admitted the right of parental control but believed that if judiciously given, it would practically never be exercised. This was his formula:

"1. There must be excited in the community generally a wholehearted honesty and enlightened sincerity in the cause of education. 2. The Bible, the whole Bible, and nothing but the Bible, without note or comment, must be taken as the text-book of religious instruction. 3. Instruction in those points which divide the sects from each other, must be confined to the family and the Sunday school."

⁴² *Lectures Delivered before the American Institute of Instruction*, 1843 (Boston, 1844), pp. 1-30.

In the application of these rules he would let Catholics recite from the Douay version and Jews from the Old Testament if they desired it; and would excuse them from the Bible recitation if they demanded it.⁴³

Coming fresh from the controversy with the Catholics in New York, Hiram Ketcham, a Presbyterian lawyer of New York, took, in a speech before the American Bible Society, a more advanced position. He stated that it was a fundamental principle that in America the government had no right to tax for the support of the Christian religion, but that it should be voluntarily supported. But in drawing his application of it to the schools he was not wholly logical, for he said:

“It follows of necessity that these schools, maintained by a tax raised by the state, are not nurseries for instruction in religion. It is acknowledged in them; it is recognized by them. But the peculiar doctrines of any one sect must not be taught in schools supported by any monies raised by a tax on the people.”⁴⁴

The expression of these views shows how the struggle changed from one between different Protestant sects for the teaching of their distinctive doctrines to a united opposition to the teaching of Roman Catholic doctrines with public money. But the latter phase came later in Massachusetts than in New York. The Catholic population was naturally larger in Boston, but for 1845 the estimated religious population of the city was: Baptist, 10,500; Catholic, 30,000; Episcopalian, 6,000; Methodist, 8,000; Orthodox Congregationalist, 14,500; Unitarian, 18,000; Universalist, 6,000; Unclassified, 6,000; Residue, 15,366. While the Catholics had less than the two largest Protestant groups, records of baptisms showed half of the births in the city were of Catholic parents.⁴⁵ This and the potato famine

⁴³ Calvin E. Stowe, *The Religious Element in Education* (Boston, 1844), pp. 1-34.

⁴⁴ *The Common School Controversy* (Boston, 1844), p. 51.

⁴⁵ *Report to the Committee of the City Council, Census of Boston, 1845*, pp. 123-125.

were destined soon to disturb the whole Massachusetts system.

In 1842-1843 Horace Mann was in Europe studying foreign systems of education and when legislation was passed appropriating for school district libraries, full liberty was given the districts in choosing the books. The report of the committee reporting the bill stated it was not the policy to give to any departments of the government control over the sentiments of the young through a dictated course of reading.⁴⁶

Upon the return of Mann, he wrote his seventh *Annual Report*, which proved a storm center upon general pedagogical principles as well as religious education. He described the systems of religious education in vogue abroad, and characterized them as mainly political, to get the blind submission of the subjects. He preferred the Massachusetts system of inculcating "the perfect morality of the Gospel" while permitting personal liberty of individual belief.⁴⁷ His comparison of Boston methods and discipline with Prussian piqued the Boston masters and led to their attack on Mann, which did not concern religious education originally,⁴⁸ until Mann in reply asked them how they unfolded to the young "the wisdom and goodness of God, as exhibited in all parts of the material universe;" and what instruction they gave in Bible history, in which the Prussians excelled. Mann also traced the recurrent opposition to him to his refusal to recommend the books submitted by Packard and thus linked the religious controversy with that of the schoolmasters.⁴⁹ The *Rejoinder* avoided the religious issue, but subsequent discussion turned partly on the scriptural basis for corporal punishment.⁵⁰ Still the

⁴⁶ *H. R. Doc.* 23, 1843.

⁴⁷ *7th Annual Report of the Bd. of Ed.*, 1843, pp. 170-186.

⁴⁸ *Remarks on the Seventh Annual Report* (Boston, 1844).

⁴⁹ Horace Mann, *Reply to the Remarks* (Boston, 1844); pp. 92-93, 168.

⁵⁰ *Rejoinder to the Reply* (Boston, 1845); *Reports of the Annual Visiting Committees, Doc. No. 26, 1845.*

attack of the Boston masters added fresh fuel to flames of religious zeal.⁵¹ While the Baptist organ, *The Christian Watchman*, remained neutral though differing from some of the views of Mann,⁵² the issue of sectarian instruction was clearly joined by E. A. Newton, the Episcopalian member of the Board who had resigned on that issue, in the columns of the *Christian Witness and Church Advocate*, the organ of the Episcopalians.

The occasion for the position of Newton was afforded by the Girard Case argued by Daniel Webster before the United States Supreme Court, in which the latter said it was impossible to separate religion and morality, as Girard had tried to do in excluding all religion from the institution he had created. He asserted that by lopping off the branches of sectarianism, Girard had laid the axe to the root of Christianity itself; consequently his system had to be based on Paine's *Age of Reason* or Volney's *Views of Religion*. Newton anonymously asked how this system differed from that of the Board of Education and its Secretary.⁵³ This position was made more specific in the editorial columns of the paper two weeks later, when it was maintained that when "papists" were admitted to the Board, on the principle of rejecting books to which any member was opposed, the Bible must be excepted; and it specifically objected to the exclusion of the doctrine of grace from the schools.⁵⁴

To a person of the temperament of Horace Mann it was impossible not to accept the challenge thus thrown down. But the controversy which ensued should be understood to be due to a point of view held by few other than Episcopalians, who could not divorce their thinking from the established system of religious education in England.

⁵¹ Geo. B. Emerson, *Observations on a Pamphlet entitled Remarks*, etc.

⁵² *The Christian Watchman*, Dec. 20, 1844.

⁵³ *The Christian Witness and Church Advocate*, Feb. 23, 1844, p. 3.

⁵⁴ *Ibid.*, Mar. 8, 1844, p. 10.

The nearest they came to support by the religious press was an article in the *Christian Reflector*, a Baptist publication, which subsequently repudiated the course of the *Witness*.⁵⁵ The article referred to included the following:

"To us, it seems that the present system of our Board of Education differs *none too much* to say the least, from the system of Mr. Girard. There is such a hue and cry kept up, at this day, by all the enemies of true religion about sectarianism that good men need to be on their guard, lest there be an infringement on rights more sacred than sect. Is it not true that many of our teachers dare not, or do not venture to give any religious instruction whatever; that they never come nearer to it than the simplest principles of morality." ⁵⁶

Mann met the attack by a courteous letter to the editor of the *Witness*, in which he made a frank statement of the actual situation. He pointed out the Catholics as well as orthodox held to the doctrine of grace, but that the Episcopalians only wanted their own doctrines. He approved the teaching of Christianity in the schools, contending that the moral instruction law of 1789 included much of it, that the sectarian book law implied that Christian books should be introduced, and that he and the Board would teach the golden rule and other great precepts of the Bible, while he had characterized the works of Volney and Paine as moral venom. He asserted that there was at that moment more Bible reading and thirty-fold more moral and religious instruction than 30 years before, but not as much as there ought to be. The Shakers were the only sect that had actually seceded from the common school system, and while the Episcopalians had to some extent opposed him, he had not opposed them. He was only aiding the Board in administering the constitution and laws as they found them, and was trying to impart as much religious instruction as was compatible with the private rights of

⁵⁵ *The Common School Controversy*, p. 55.

⁵⁶ *Ibid.*, pp. 6, 7.

conscience. Neither he nor the Board had ever tried to get the Bible out of the schools.⁵⁷

The *Witness* published the letter and with it an editorial which made it clearer that its one purpose was to have taught in the schools such doctrines of orthodoxy as salvation by the death and sacrifice of Jesus. Here arose the difficulty of defining sectarian. The *Witness* maintained that the fathers would never have considered the above sectarian, and that was undoubtedly true; and with considerable truth held that what Mann would teach was sectarian, and that the Catholics would soon object to the Bible as sectarian.⁵⁸ The full import of what some meant by the sectarianism of Mann was later frankly stated by a Boston correspondent, who charged that the drift if not the design of the Board of Education was to substitute Deism and Naturalism for Christianity, because the Secretary admitted the things common to Deism and Christianity and denied the things peculiar to Christianity. If the districts were not permitted to decide their own teaching, there would result a church and state union on deistic principles.⁵⁹

As the editor of the *Witness* refused to publish a second letter from Mann, he secured publicity through the *Boston Courier*, saying that the difference between his views and those of the editor were a matter of life and death to the common schools. He showed that the orthodox Congregationalists had not opposed the passage of the sectarian book law in 1827, or its reënactment in 1831, and that a new law creating an established system of religion would be necessary to carry out the wishes of the *Witness*. The present teaching could not be sectarian because the editor said it was good so far as it went, and only those things were sectarian to which somebody objected.⁶⁰ Mann was

⁵⁷ *The Christian Witness and Church Advocate*, March 29, 1844.

⁵⁸ *Ibid.*

⁵⁹ *Ibid.*, May 17, 1844, p. 49.

⁶⁰ *The Common School Controversy*, pp. 18-21.

supported by an anonymous writer in the *Boston Courier*, who taunted the Episcopalians with aping the Church of England, which opposed equal privileges to all sects in the English schools, and who said the Congregationalists, Methodists, and Presbyterians of Massachusetts would not support the Episcopalian attempt to assume superiority; ⁶¹ by the *Westfield NewsLetter* of Western Massachusetts, which called the *Witness* article "unjust and illiberal;" ⁶² and by the *Salem Observer*, which was "surprised and pained." ⁶³

On May 17, 1844, Newton submitted a signed article to the *Witness* in which he said he did not intend to charge Mann and the Board were disciples of Paine, but showed that his real animus was against the Unitarians. He claimed that the orthodox Congregationalists, Baptists, Episcopalians, and Methodists had not opposed sectarian instruction until the Unitarian group arose, and that the 1827 enactment was not much thought of until the Board of Education was created. They had so interpreted the law as to exclude everything "vital and distinctive in the Christian scheme, as held by orthodox denominations," the catechism, and the explaining and teaching of Scriptures. The plan on which the School Library was operated would exclude most of the writings of Luther, Calvin, Cranmer, Knox, Wesley, and Fuller. The result of the *Common School Journal*, the *Annual Reports*, and the Normal Schools would be to make these principles effective and the Unitarians would become sovereign, and only natural religion could be taught. He hoped the Board would be abolished. ⁶⁴

A chorus of opposition met this statement of views. The *Bay State Democrat* said Newton was a born Englishman, unfitted to execute liberal laws, who acted as if "the

⁶¹ *Ibid.*, pp. 32-38.

⁶² *Ibid.*, pp. 38, 39.

⁶³ *Ibid.*, p. 41.

⁶⁴ *The Christian Witness and Church Advocate*, May 17, 1844, p. 51.

Church of England was prior to creation; and that creation had only to conform to the requisitions of its Bishops to be just right.”⁶⁵ The *Trumpet or Universalist Magazine* objected to teaching hell torments and total depravity; ⁶⁶ the *Boston Evening Gazette* accused the *Witness* of being ignorant of the principles of public education or of desiring to perpetuate aristocracy by thwarting enlightenment.⁶⁷ A Boston lawyer in the *Boston Daily Advertiser and Patriot* said even the Episcopalians in Boston gave “distinct disapprobation” to the Newton attack, and explained that under the law school committees and not the Board had authority to direct what books should be used; he asserted that Newton wanted to warp the law to permit sectarianism, and that he could not see Christendom broader than his own platform of faith.⁶⁸ Hon. Alfred D. Foster of Worcester, an orthodox Congregational member of the Board of Education, said that if Newton were right the common schools would become the battleground of warring sects. He approved of teaching orthodoxy in the schools only when all agreed to it. He would not compel others to Calvinistic truth, saying “Times change and men change with them.”⁶⁹ The *Christian Register*, Unitarian, naturally supported Mann and objected to drilling children in the bigotry of Calvinism. It claimed that Newton’s position really implied that the essential doctrines of the Gospel could not be learned from reading the Bible. It protested against one sect requiring the Bible to be accompanied by a commentary and a creed.⁷⁰

A reply was also made by Mann through the *Courier*. He asserted that the Massachusetts system differed from the Girard system because there clergymen were excluded while in Massachusetts clergymen on school committees

⁶⁵ *The Common School Controversy*, pp. 41, 42.

⁶⁶ *Ibid.*, pp. 54, 55.

⁶⁷ *Ibid.*, pp. 43, 44.

⁶⁸ *Ibid.*, pp. 52, 53.

⁶⁹ *The Christian Register*, June 15, 1844, p. 91.

⁷⁰ *Ibid.*, p. 94.

visited the schools, and he interpreted the piety and benevolence required by the moral instruction law as "love to God and love to man." To the charge that the Board excluded the catechism and merely permitted the reading of the Bible, he replied that they had never dictated or suggested the way it should be read and in the Normal Schools had only required it to be read daily. The third *Annual Report* was intended to refute the claim that the Board was a Unitarian movement, and satisfied all except those who, like Newton, wished to use the schools to proselyte in, in defiance of law. It would be impossible for each individual to force his creed into the schools, for there were 300 organized anti-orthodox societies in Massachusetts. He said Newton's spirit was that of Henry VIII, without his power, and enunciated this as the Massachusetts spirit:

"The principle of our law and of the Board of Education acting under it, is, that school money shall be raised from all, that the school shall be open to all without any religious test, that when children are assembled at school, everything of a moral or religious nature which does not invade the rights of individual conscience, — the sublime precepts of the Gospel, the life and character of Jesus Christ, the love of God, and of man for his wants, — shall be sedulously inculcated; but that polemical theology, distinguishing points of creeds or faith, shall be left to other times, places, and teachers."⁷¹

The sectarian purpose of some was now even more baldly stated by "I. W." in the columns of the *Christian Witness*. He argued that the doctrines of the fall, vicarious sacrifice, justification by faith, and the trinity were held by Baptists, Congregationalists, Methodists, Romanists, and Episcopalians and were not sectarian; but that the teaching then given was Unitarian and therefore sectarian. He objected to the School Library because it taught an expurgated Christianity, equally satisfactory to the Greek, Jew, deist,

⁷¹ *The Christian Register*, June 22, 1844, p. 95.

or to Islam. He believed the majority of orthodox had a right to demand the teaching of their views.⁷²

The above position in favor of sectarian instruction appears to have had the support of practically only Episcopalians and not of all members of that group. The people of Massachusetts then wanted religious instruction in school, but they did not want sectarian instruction. The only apparent support for sectarian instruction was Baptist, and such a position was so foreign to the genius of Baptist institutions that it is improbable that there was any real support. We have seen that the *Christian Reflector* finally disassociated itself from Newton's policy. It is true that the State Baptist Sunday School Convention adopted a resolution calling for more Sabbath school instruction on the doctrines of the Gospel on which salvation depended, because of the deficiency in the religious education provided by law.⁷³ If there were Baptists who wished to oppose the teaching merely of moral precepts and natural religion, they certainly did not get the resolution so worded that that was the primary purpose. The resolution merely accepted the law as Mann interpreted and threw the burden of sectarian instruction on the church. And that was the natural Baptist position, which was well expressed by "R. W." in the Baptist *Christian Watchman*. He characterized the alarm because only natural religion, without the doctrine of grace, was being taught, as worse than useless, and tending to destroy the public school system. The following excerpts state clearly the Baptist theory:

"For the sake of the integrity and purity of the church of Christ itself, do we deprecate that the teachers of the common schools be allowed to teach the doctrines of grace. . . . In the second place, for the sake of those ends for which the common schools are instituted, we deprecate that the school teachers be chosen with reference to their

⁷² *The Christian Witness and Church Advocate*, July 12, 1844, pp. 82, 83.

⁷³ *Ibid.*, July 26, 1844, p. 90.

orthodoxy in religion. . . . Society cannot become society, until so much of spiritual life is abroad as makes natural religion. The state, therefore, as a state, ought to require of its servants, in the discharge of their civil duties, a recognition of all this. . . . The state educates its citizens for itself, but not for the church of Christ. Christ takes care of that for himself. This is the fundamental principle of the Baptist organization.”⁷⁴

After the controversy with Newton had proved that public opinion supported the elimination of sectarian instruction, the controversial war ceased for a few years and meantime Mann tried definitely to encourage non-sectarian religious education in the public schools. In the eighth *Annual Report* he gave the results of an investigation into the use of the Bible in the schools. He found that in 258 of 308 towns and cities of the Commonwealth the Bible was the regular reading book. In 38 more it was used as a reading book or in devotional exercises. There were no answers from nine, but in only three was it found that it was not used at all. One of the latter replied that the style and phraseology was too difficult for children and the Bible was “of a nature higher and holier.” Mann interpreted the results as showing that Massachusetts was as deeply imbued with Christianity as any part of Christendom.⁷⁵ The Board in its *Report* advocated the “frequent and careful perusal of the Sacred Scriptures, in our schools;” it directed the daily use in the Normal Schools under its direct control; it believed it was used in all academies; and it regretted that an unsectarian book which was the “textbook of faith” of all Christian sects was not in use in every institution of learning in the home of the Puritans. It interpreted the term principles of piety of the law as meaning the principles of the Christian religion, and believed the Bible necessary for this. School committees had authority to prescribe the books, and direct the manner

⁷⁴ *The Christian Watchman*, Nov. 22, 1844; Nov. 29; Dec. 13.

⁷⁵ *8th Annual Report of the Bd. of Ed.*, 1844, pp. 75, 76.

and amount of religious instruction; while the church, Sabbath School, and family did their part, there was a definite need for religious instruction for those who would otherwise be "active in error, fertile in crime." For this religious education in the schools popular opinion, not legislation was needed.⁷⁶ Doubtless the change to an orthodox majority in the Board was tending to make them more emphatic on the need of an unsectarian religious education in the schools.

In the succeeding years Mann emphasized more and more the necessity of moral education, which he believed was too much neglected. Intellect was rising and virtue falling; practical Christianity was not keeping pace with material improvements. He claimed that the Board had been directly and indirectly promoting religious instruction and that religion was the principle foundation of moral action.⁷⁷ He believed that the field of morality was less cultivated than that of knowledge or of faith. It was partially correct to say that religion comprised the relation of man to his Maker, and morality the relation of man to man. Because the church taught more religion, and many children did not get even this, the school must teach morals.⁷⁸ On the other hand, he believed that God could not be really known except by scientific knowledge of his creations, using the microscope and telescope; hence the promotion of education promoted religion.⁷⁹

Mann also recommended that the clergy frequently visit the schools, as one of their parochial duties. The original tutelary relation of the clergy to the schools of New England had never been dissolved. While the once half-papal authority had now been altered, visiting the school was a means by which the ministers could make up for this and ingratiate themselves with the children. In addressing

⁷⁶ *Ibid.*, pp. 15-18.

⁷⁷ *9th Annual Report of the Bd. of Ed.*, 1845, pp. 64-76, 157.

⁷⁸ *Massachusetts Common School Journal*, VII, 1845, Intro.

⁷⁹ *Ibid.*, VIII, 1846, Intro.

the children at school, he would be doing a part of his own work, for all the preceptive parts of the Gospel belonged as appropriately in the schoolroom as in the pulpit.⁸⁰

In October, 1846, Mann had to defend himself and the Board in a new controversy much more acrimonious and personal, and less important to us because based more on personal matters and false charges as to facts, than the more dignified debate with Newton, which really covered an essential point which it was well to clear up. The difficulty started when the Rev. Matthew Hale Smith, a Universalist who had turned to orthodoxy, used the opportunity of addressing a body of Sunday School workers in Boston, at a public mass meeting, to preach a sermon entitled *The Ark of God on a New Cart* in the course of which he brought sensational charges against the morality of the public schools of Boston and charged that the Board of Education was trying to get the Bible out of the common schools of the state, to get all religious instruction out, to remove all restraints from the depraved passions of scholars, and by anti-religious or non-religious instruction to neutralize the instruction of pious parents and Sunday School teachers. He also objected to heresy in the books furnished the young.⁸¹ William B. Fowle, publisher of the *Massachusetts Common School Journal*, under the signature of "Tremont," published a letter in the *Boston Courier*, characterizing the Smith sermon as "impudence and ignorance." He said only "Romanists" would take the Bible out of the schools, and showed that the Board had a majority of orthodox members at that time. Governor Briggs was a Baptist; Sears was a Baptist, head of the Newton Theological Institution; Humphrey and Hooker were orthodox Congregationalists; James was an Episcopalian and Chapin an Universalist. He said the Board was supporting the Bible and religious education so far as it

⁸⁰ Horace Mann, *Life and Works* (Boston, 1891), V, pp. 234-245.

⁸¹ *Sequel to the So Called Correspondence* (Boston, 1847), p. 3 ff.

could and the School Library did not teach universal salvation.⁸²

In his *Inaugural* of 1847 the Baptist governor supported his Secretary of the Board of Education and religious education in these words:

"Justice to a faithful public officer leads me to say, that the indefatigable and accomplished Secretary of the Board of Education has performed, and is performing, services in the cause of common schools, which will earn for him the lasting gratitude of the generation to which he belongs. . . . That legislature, or that people, which shall do the most to advance this cause of civilization, patriotism, and Christianity, may expect, what is far more desirable than the loudest and longest applause that ever burst from an excited multitude, the blessing of God, and the blessing of the poor."⁸³

Early in January Smith published a pamphlet, *The Bible, the Rod, and Religion in Common Schools*, which was freely circulated among members of the General Court. It contained little new, except an attempt to prove the *Common School Journal* sectarian because of a quotation containing the statement that almost all children were as pure as Eve was, a slip which had been objected to by Heman Humphrey and which Mann had disavowed.⁸⁴ The *Boston Recorder* was supporting Smith and claimed that Mann occupied the ground of those who believe in Christianity in general but disbelieve it in particular, that to them all was sectarian but the ideas of "Universalists, pious deists, and theophilanthropists." It would mean the establishment of Universalism and deism.⁸⁵ If the Board did not appoint a man of evangelical sentiments it would be better to abolish the Board. It preferred teaching no religion to the above system, or would let each district de-

⁸² *The Boston Courier*, Oct. 27, 1846.

⁸³ *Acts and Resolves*, 1846-1848, pp. 576-578.

⁸⁴ *Sequel to the So Called Correspondence*, pp. 10-13.

⁸⁵ *The Boston Recorder*, Jan. 14, 1847, p. 6.

cide.⁸⁶ A correspondent asked why there was a Unitarian Secretary when three fourths of the schools were orthodox, and why teachers from Normal Schools were told not to have the Bible read in their schools, or if so, only selected portions.⁸⁷ The Unitarian *Register* pointed out that Mann was supported by an orthodox governor and Board and believed the majority of the orthodox would keep sectarianism out of the schools and politics.⁸⁸ Rev. Emerson Davis, one of the original orthodox Congregational members of the Board, wrote a letter which the *Recorder* declined to publish, stating he did not believe the Board or the Secretary was trying to undermine the faith of the orthodox.⁸⁹

Mann's reply to Smith was given in the form of a pamphlet entitled *Sequel to the So Called Correspondence*. With reference to the use of the Bible he showed Smith had changed his position, and now merely claimed that Mann did not believe in some parts of the Bible and thought some parts not suitable for school reading, an omission which would destroy the saving power of the Bible. Mann's reply was that half the school committeemen of Massachusetts were clergymen, but they agreed in prescribing the Bible as a text, though they preached it differently in their pulpits. He intimated that Smith came under Paley's definition of a lie, by creating a false impression from his use of facts. Mann had always reverently read the Scriptures at the morning sessions of the teachers' meetings, and when he said he did not approve of reading parts in it, he referred to passages which were interpolations. Still he did not believe it proper to read the Song of Solomon in a mixed audience. As to the charge he was trying to get religion out of the schools, he showed neither he nor the Board could prescribe the subjects taught, and branded

⁸⁶ *Ibid.*

⁸⁷ *Ibid.*, Feb. 25, 1847, p. 30.

⁸⁸ *The Christian Register*, Mar. 6, 1847, p. 38.

⁸⁹ Horace Mann, *Letter to the Rev. M. H. Smith* (Boston, 1847), p. 5.

the charge as false by vigorously denouncing any attempt to get it out.⁹⁰ Replying to charges about the church attendance of pupils at West Newton Normal, he said the official visitors gave a favorable view of the church attendance, and remarked that the beneficiaries of the state should properly observe the Sabbath.⁹¹

Turning to the question of sectarian instruction, Mann asserted that ninety-nine one hundredths of all the opposition they had ever encountered was due to abstaining from a recommendation of sectarian instruction. He showed how the Congregational *Recorder* and the Episcopalian *Witness* had published articles in favor of it and how orthodox committees had locally introduced sectarian books, while the orthodox Methodists and Baptists refused to demand sectarian instruction. If sectarian instruction were introduced, discussions of total depravity and the trinity would make all depraved and atheists; committee elections would be fought on the basis of creed; schools would have to change their creed from year to year; it was inconsistent to deny a choice of creeds to the state and allow it to the towns; liberals were now debarred from attacking orthodox views as much as they were debarred from defending them; while he personally believed in a future state of rewards and punishments, a portion of the Unitarians and the Universalists did not, and therefore the doctrine could not be taught; the teaching of total depravity was not a part of the principles of piety, and if any thought otherwise, they should take it into the courts;

⁹⁰ *Sequel to the So Called Correspondence*, pp. 13-31. He referred to the elimination of religious instruction in these terms:

"I regard hostility to religion in our schools, as the greatest crime which I could commit against man or against God. Had I the power, I would sooner repeat the massacre of Herod, than I would keep back religion from the young. . . . What religion, then, shall be inculcated upon the young, in our public schools? I answer,—not my religion, nor yours, as such, nor the religion of any class or sect,—but the religion of the Bible. If your religion can be found in the Bible, then your religion is taught in the schools."

⁹¹ *Ibid.*, pp. 31-33.

apportionment of the school fund could not depend on the character of religious instruction.⁹²

Charges that *The Sacred Philosophy of the Seasons* in the School Library taught Universalism were untrue because the author was a Scotch evangelical divine, it was approved by Governor Briggs, two orthodox Congregational clergymen, and by Joseph W. Ingraham, an Episcopalian, who read the proofs; and besides the Board had considered dropping it because it taught the opposite of Universalist belief, according to objections made by that sect.⁹³

The *Boston Courier* editorially supported Mann and advised him not to mistake grasshoppers for beeves, calling Smith sincere, but wrong in his inferences and visionary. It insisted it was not right to teach a minority the doctrine of salvation by atoning blood.⁹⁴

In reply to a subsequent pamphlet⁹⁵ by Mann that Smith shifted his ground and did not retract his charges, and presenting letters supporting Mann, Smith availed himself of the friendly columns of the *Boston Recorder*.⁹⁶ Here the debate shifted to very personal matters where principles were not involved, as to Mr. Smith visiting a bowling saloon and reproving his parishioners for similar conduct; and as to young women taking the part of men and appearing in trousers in a play at the West Newton Normal. He also objected because Principal Pierce was a Parkerite, and students washed and ironed on Sunday instead of going to church; and after regulations by the Board of Education, and the students resolved to do as they pleased, he compromised on requiring them to go half the day. Pierce denied that the tableau was indelicate, that the Sabbath was a gala day, and claimed over 30 of the pupils were from

⁹² *Ibid.*, pp. 37-50.

⁹³ *Ibid.*, pp. 50-57.

⁹⁴ *The Boston Courier*, Mar. 18, 1847.

⁹⁵ Mann, *Letter to the Rev. M. H. Smith*.

⁹⁶ *The Boston Recorder*, May 6, 1847, p. 71.

orthodox families.⁹⁷ Subsequent letters of each added little but repeated charges and denials.⁹⁸

A year later Pierce asserted that the real reason for opposition was that it was not under orthodox administration, that all pupils did not attend the orthodox church, and that total depravity was not taught. He showed that all pupils were required to be provided always with a Bible, that the principal read it every morning at opening exercises, and that pupils read in it daily.⁹⁹

At about this time the *New Englander*, a rather liberal undenominational religious periodical of New Haven, published an article by a prominent member of the Board of Education of Massachusetts giving the history of the school controversies of the last decade. It laid the root of the agitation to the pamphlet Packard had addressed to Dr. Humphrey which was unjustified by the facts but to which Mann and the Board did not reply. In this he had claimed that they considered that religious teaching was entirely excluded by law from the public schools of Massachusetts, and would substitute a system of natural religion. The same charge had been used in the attempted abolition of the Board in 1840, by the Episcopalians in 1844, and again in 1846-1847. It stated that neither the Secretary nor the Board would exclude the Bible if they could, nor could if they would. Their general course was approved as of great benefit to the rising generation.¹⁰⁰ This was a fair statement of the case and refrained from mentioning the fact that much of the opposition was doubtless due to a denominational jealousy of the Unitarians. But the controversy had made clear that all parties favored some religious education in the public schools, though they could not agree on the exact type.

But the *Recorder* still insisted that no defense had been

⁹⁷ *Ibid.*, May 27, 1847, p. 83.

⁹⁸ *Ibid.*, June 3, 1847; June 17, 1847.

⁹⁹ *The Christian Register*, July 8, 1848, p. 110.

¹⁰⁰ *The New Englander*, Oct. 1847, pp. 513-522.

made against the charges that "he is foisting in a transcendental scheme of deistical morality" and interdicting "all the distinguishing sentiments of the Bible as to sin and redemption."¹⁰¹ And this impossibility of meeting on the same ground was due to the impossibility of defining sectarianism.

The West Newton Normal matter received attention in the next *Annual Report*. The report of the visitors of the institution characterized as groundless the charges made that the principal was teaching heterodox principles and lessening the reverence of the pupils for Holy Writ, and as an attempt to deprive the school of the confidence of an influential class of the population.¹⁰² The Board itself explained that they were not attempting to prescribe the system of religious instruction or books, but that the teachers according to the regulations were obliged to inculcate "the principles of piety and morality common to all sects of Christians." There was daily Scripture reading, daily devotional exercises, and church attendance on the Sabbath was enjoined.¹⁰³

To all of this the *Recorder* replied that the charges had not been fairly met; that Mann had not denied that he did not believe in the inspiration of the canonical Scriptures; that the Board did not come to the accusers for the evidence; that Pierce was a Unitarian Parkerite and the graduates unfit for common schools; and that Bible morality was preferred to transcendental nonsense and infidelity.¹⁰⁴

Mann had by now withdrawn from further controversy and was engaged in pushing his own conception of moral education. During 1847 he submitted, to teachers whom he considered qualified to answer, a questionnaire asking how many children would be irreclaimable under the best conditions of the New England systems of education. He

¹⁰¹ *The Boston Recorder*, Nov. 18, 1847, p. 182.

¹⁰² *11th Annual Report of the Bd. of Ed.*, pp. 10-12.

¹⁰³ *Ibid.*, pp. 6, 7.

¹⁰⁴ *The Boston Recorder*, Feb. 18, 1848.

selected teachers who believed in the depravity of the natural heart, but not all from Massachusetts.¹⁰⁵ The answer of Solomon Adams of Boston was typical. He did not see how different theological views could alter the modes of instruction. A physical, intellectual, and moral training by faithful Christian teachers was needed, emphasizing training rather than conversion. All sects must meet on the common ground of reverence for the word of God, love of God, and love of man.¹⁰⁶ Mann summed up the replies as indicating a belief that the common schools could expel 99 per cent of the vice and crime. For this would be necessary the cardinal principles of the New England systems, teachers of high intelligence and moral qualifications, and the attendance of all 4-16 for ten months annually. Among these cardinal principles he included his system of non-sectarian religious instruction with the use of the Bible.¹⁰⁷

In its report for this year the Board also took occasion to make clear that despite insinuations to the contrary, it was not known that any member of the Board was not disposed to recommend the daily reading of the Bible, devotional exercises, and the constant inculcation of the

¹⁰⁵ *11th Annual Report of the Bd. of Ed.*, p. 49 ff.

¹⁰⁶ *Ibid.*, pp. 64-71.

¹⁰⁷ *Ibid.*, pp. 85-91. A more complete statement of his idea of non-sectarian religious instruction was given in these words:

"The use of the Bible in schools is not expressly enjoined by the law, but both its letter and its spirit are in consonance with that use; and, as a matter of fact, I suppose there is not, at the present time, a single town in the Commonwealth in whose schools it is not read. Whoever, therefore, believes in the Sacred Scriptures, has his belief, in form and in spirit, in the schools; and his children read and hear *the words themselves* which contain it. The administration of this law is entrusted to the local authorities in the respective towns. By introducing the Bible, they introduce what all its believers hold to be the rule of faith and practice; and although, by excluding theological systems of human origin, they may exclude a peculiarity which one denomination believes to be true, they do but exclude what other denominations believe to be erroneous. Such is the present policy of our law for including what all Christians hold to be right, and for excluding what all, excepting some one party, hold to be wrong."

principles of Christian morality. The Board and Secretary recommended and advocated this, but local committees had the real control.¹⁰⁸

While the Unitarian *Register* as usual supported the *Report*,¹⁰⁹ it also received commendation from the *New Englander*, but with the reservation that it was unfair for Mann to send his questionnaire only to the evangelical Christians, as if he were using his official position to ridicule them. It also rejoiced in the state recognition of the necessity of training citizens as well as the old religious reason for education.¹¹⁰

It was in 1848 that the question of establishing parochial schools in Massachusetts as an alternative to the non-sectarian schools received consideration, because it was becoming a national question. The Roman Catholics and the Episcopalians had agitated it the most. But the General Assembly of the Presbyterian Church, a national body, had passed a resolution affirming its conviction of the necessity of establishing primary schools by congregations.¹¹¹ As a result, there was some consideration of it in the Congregational General Association of Massachusetts, at its meeting in Chelsea in 1848. A report was unanimously adopted, but it was later voted not to print it in the minutes. A committee was appointed to report the next year. The report stated that there was danger in the common schools because if sectarianism was taken out, only natural religion was left. The organization of the Board of Education was a measure of doubtful utility, because there was no way to make sure an evangelical person would hold the office, and otherwise vital religion could not be promoted. The Normal Schools were likely to train those opposed to vital religion. It was believed that the majority wanted the state to leave religion to the parents and church. While

¹⁰⁸ *Ibid.*, pp. 9, 10.

¹⁰⁹ *The Christian Register*, Mar. 25, 1848.

¹¹⁰ *The New Englander*, VI, 1848, pp. 207-213.

¹¹¹ *Ibid.*, pp. 230-249.

saying that some would have parish schools for religious and secular education, and others would abolish the State Board, no definite course was recommended except a thorough investigation by pastors and churches.¹¹²

Expressing somewhat the same underlying spirit of distrust, but in milder terms, Alexander H. Vinton, rector of St. Paul's Episcopal church in Boston said in his Election Sermon of 1848, after discussing restraint in education, that this restraint must be based on religion. The government as a religious institution should guide the development of the nation by instruction and restraint with prayer and faith. Charges of sectarianism in this were most likely to come from the spirit of religious indifference.¹¹³

These expressions are significant as showing that the orthodox Congregationalists and doubtless to an equal degree the Episcopalians were more anxious to have the orthodox teaching of the Gospel taught in the schools than they were to avoid sectarianism. They did not boldly advocate sectarian teaching, but they were not afraid of the term.

The 12th *Annual Report* of 1848 was Mann's last, for in that year he resigned to enter Congress. As if he considered the religious education the capstone of his whole system, he devoted the last 46 pages of this report to that subject. Much of the material has of course been presented, but may conveniently be summarized here as an outline on Mann's views and what was generally the practice in Massachusetts.

The great ideal of morality which he envisioned was a "consummation of blessedness" attainable only by religious education. Only an insane man would deny the latter to the young. In the choice of means to a religious education he would act religiously, and not irreligiously as had been for the most part true since "the unhallowed union of church and state, under Constantine." Despite

¹¹² *The Boston Recorder*, Aug. 4, 1848, p. 122.

¹¹³ *Election Sermon, H. Docs.*, 1848.

the attitude of those who claimed he tried to derogate from the authority of the Bible and exclude religion from the common schools, and of those who preferred parochial to "irreligious and anti-Christian" public schools, neither he nor the Board would have permitted the exclusion of the Bible and religious instruction from the schools. But he would have no enforcement of religion by law, which resulted in a legal definition and death to heretics who insisted on their standard of truth. This was impossible in Massachusetts where the constitution made all sects equal before the law. Therefore so far as allowed and prescribed by the constitution of Massachusetts, he regarded religious instruction in the schools as indispensable. But sectarian instruction would prove the overthrow of the schools. He denied once more, as absolutely false, all accusations that he had "ever attempted to exclude religious instruction from school, or to exclude the Bible from school, or to impair the force of that volume, arising out of itself."

He admitted the schools were not theological seminaries, but said Christian morals were inculcated and the Bible was allowed to speak for itself. All were taxed to support schools, not to promote religion, but to prevent evils; not to make denominational members, but to help children decide their religious obligations. Otherwise parents would have to educate their children in a private way and were taxed for benefits they could not enjoy. This would be an unchristian principle, like executing heretics. But the Massachusetts system was religious because strictly religious rights were left to the jurisdiction of the Divine government. It was also religious because the Bible was in the common schools by common consent. Before the establishment of the Board, some towns had excluded it because used for sectarian instruction; but as the latter ceased, the Bible was restored and he did not know of a town in the state where it was not then in use. People whose creed was in the Bible, found instruction in it in the schools;

if it was not in the Bible, it was no wonder that they wanted instruction in it. The moral education law of 1789 related to virtues which were "part and parcel" of Christianity, and it was made the duty of ministers of the Gospel to bring all children within its field.

After this discussion of the Massachusetts system, he examined the following other possibilities: (1) secular schools only; (2) teach a definite system of religion; (3) local option for the majority sect of a community to determine; (4) leave all education to private agencies. No one wanted the first; the second was the spirit of the Dark Ages, a crime against religious truth; the third would result in a conflagration in all districts; the fourth would prove impractical, would not provide education for the poor, and would result in ignorance and vice. So Mann concluded:

"The sovereign antidote against these machinations, is, Free Schools for all, and the right of every parent to determine the religious education of his children."¹¹⁴

Corroborative testimony that the system outlined by Mann was then actually in operation in Massachusetts may be gleaned, strangely enough, from a British parliamentary *Blue Book*, where it composes part of a committee report on the Manchester and Salford Education Bill, in 1851. It happened that the Hon. Edward Twistleton, late Chief Commissioner of Poor Laws in Ireland, was struck by the high mental caliber of the New Englanders, when in New England a few years before. To find out whether this could be due to compulsory schools, without sectarian instruction in religion, as was then believed necessary in England, he addressed a questionnaire in 1851 to some of the most eminent citizens of Massachusetts. The questions asked were substantially these:

1. Do public schools interfere with denominational tenets?

2. Do the children get the above tenets outside of school?

¹¹⁴ 12th Annual Report of the Bd. of Ed., 1848, pp. 98-144.

3. What agencies are there for the above?
4. Do common schools indirectly promote religious sentiments and morality?
5. Do you approve or disapprove of the system? ¹¹⁵

¹¹⁵ The evidence presented by Twistleton is reproduced in the *18th Annual Report of the Bd. of Ed.*, 1854, pp. 79-104. The answers to the above questions by twelve leading Massachusetts citizens are briefly indicated below in the order of the questions.

Daniel Webster. 1. Denominations would prevent any attempted interference. 2. To a remarkable extent. 3. Parents, clergy, Sabbath school, and religious reading. 4. Yes. 5. Heartily approve.

Edward Everett, former minister to England. 1. Fundamental principle of the whole community that schools are not sectarian. 2, 3. Sabbath school. 4. Decidedly yes. Majority of school committees frequently clergymen. 5. Theory perfect.

George Bancroft, former minister to England. 1. All sects unite in the support of common schools. 2. Yes. 3. Home, Sabbath school, clergy. 4. Yes. More knowledge on religious subjects.

The Right Rev. Dr. Eastburn, Protestant Episcopal Bishop of Massachusetts. 1. No interference. 2, 3. In school only Scripture reading and instruction incidental to regular subjects, but by teaching of clergy and Sabbath school outside. 4. "I think so. . . . It is a fact that no one suspected of entertaining religious sentiments would be employed as a teacher in the common schools." 5. "Although I individually should prefer arrangements under which the tenets of my own church were directly taught in the common schools, yet, on the whole, I approve of the present system, because it ensures the means of providing a more efficient system of instruction than could permanently be maintained for all the children of the Commonwealth in any other way."

Former Representative William Appleton, Episcopalian. 1. No. 2. Yes. 3. Home, Sabbath school. 4. Teachers must be of moral and religious character and influence pupils. 5. Best system available.

Former Representative R. C. Winthrop, Episcopalian. 1. No. 2. Yes. Schools commonly opened with daily prayer or Scripture reading. 3. Pulpit, Sabbath school, fireside. 4. In the highest degree. 5. Unqualified approbation.

Former Senator F. G. Gray. 1. Certainly not. 2. Yes. 3. Home, Sabbath school. 4. Parents demand that teachers be moral and pious. 5. Approves.

Former Senator G. S. Hillard, referring to Boston alone. 1. No interference, because school committee would dismiss such teachers. 2. Yes. 3. Home, Sabbath school, clergy. 4. Yes. 5. Approves.

William H. Prescott, the historian. 1. No. 2, 3. Home and Sabbath school. 4. Scriptures usually read daily. 5. Education of the great body

The conclusions drawn by Twistleton are unimpeachable proof of the character of the religious education of Massachusetts schools in the middle of the nineteenth century. They follow:

"First. That the New England system of free schools is not sectarian in its tendencies;

Secondly. That it is not irreligious;

Thirdly. That, indirectly, at least, if not directly, it is religious, in the sense of being favorable to the cultivation of the religious sentiments and to the promotion of morality;

Fourthly. That by means of Sunday Schools, combined with the teaching of parents at home and instruction from the pulpit in church, the children of the free schools are, for the most part, taught the peculiar tenets of the various denominations to which they respectively belong;

Fifthly. That the system of free schools in New England is effective in giving instruction to the children of the poorest classes, and is deserving of approbation."

While it is to be expected that Americans in describing their schools to Englishmen would put the best side forward, the unanimity is striking and leads to the conclusion

of the people necessary in a republic. Here all get reverence for religion in school, and tenets are taught elsewhere.

Jared Sparks, President of Harvard and historian. 1. Impossible. 2, 3. Sabbath school, tracts, home. 4. Books of moral and religious tendency, not sectarian. "Nor would a teacher of known immorality or skeptical views in religion be allowed to have charge of a school." 5. Unqualified approbation.

George Ticknor, author. 1. In no way. 2, 3. Until about 1820, when the Sabbath school developed, denominational instruction in weekly catechetical exercises and explanations of Scripture by the ministers. Irish and Quakers don't go to Sabbath school, but religious teaching by voluntary teachers better than by the public school teachers. Irreligious teachers not appointed to public schools. 4. Yes. 5. Wise system of moral police.

Henry W. Longfellow. 1. No. 2. Yes. 3. Fireside and Sabbath school. 4. Yes. 5. Heartily approve. Free to all, and religious sentiments cherished and cultivated.

that the demand for sectarian school teaching in the last decade could not have had very general support. But the statement of the Episcopalian head, though not mentioned by the Episcopal laymen, is evidence of the lingering desire of that church for sectarian instruction in the common schools.

In the conceptions of the relation of church and state held at this period there was a peculiar inconsistency. A typical statement appeared in the *Christian Observatory*, an evangelical magazine, deploring the fact that the church had ever submitted to the domination of earthly kings and clergy had been supported by civil enactments, and rejoicing that there was now religious freedom in America.¹¹⁶ But according to the evidence above, there was training in Christian worship and indirect promotion at least in the schools publicly supported, of the Christian religion. It was in 1850 that the National Convention of Friends of Education, meeting in Philadelphia, called for instruction by the common school teacher to prevent many growing up in vice and irreligion. They said it was the duty of the state to provide for the instruction of all in morality and piety, the Bible should be read in all schools, and that children should be impressed that it was written by inspiration of God, and the model for their life.¹¹⁷ In fact, whatever might be said in a glib manner, the people of Massachusetts did not want a complete separation of church and state, and that situation was described by some of their more careful leaders. In an *Election Sermon*¹¹⁸ President Edward Hitchcock, of Amherst, scored the state religions of Turkey, Italy, Russia, and Austria, and to a less degree those of England and Wales. But if a democratic state and a democratic church encircled the world with the love of God and love of man as the basis of action in each, the situation would be different. He continued:

¹¹⁶ *The Christian Observatory*, Oct. 1849, pp. 443-458.

¹¹⁷ *21st Annual Report of the Bd. of Ed.*, 1858, *Abstract*, p. 10.

¹¹⁸ *Election Sermon*, *H. Docs.*, 1850.

“How much, in such a case, would the church differ from the state? Both of them would be, what I have called a Theocratic Democracy; and there would be but one government and one church in all the earth. That would be the perfect state of society, so much talked of and so little understood. . . . To honor and sustain religion, diffuse knowledge among the people, and preserve true liberty, this is a policy as settled in Massachusetts as the laws of the Medes and Persians.”

Again, on a similar occasion, Edward Everett Hale characterized it as a careless proposition to say that church and state were entirely divorced. It was true that the place of ecclesiastical and civil officers was distinctly defined, but one might as well say there was no intimate relation of the judiciary and legislature as to say it of church and state. Original church functions of education, health, and charity were now administered by the state, but they were still a church service.¹¹⁹

Such views were possible so long as there was sufficient religious homogeneity to make possible a state activity in the promotion of religion which did not disturb the belief of anyone. But the days of content under such a system were already at hand with the increasing Catholic population.

By the time Mann left the leadership of the educational system of Massachusetts, its non-sectarian system of religious education was so definitely fixed, that the issue was not a vital one to his successor. Barnas Sears was a Baptist, formerly editor of a religious publication, and the head of the Newton Theological Institution. We have noted previously some of his views.¹²⁰ The choice of a Baptist was fortunate, for it would at the same time satisfy the orthodox and guarantee that there would be no attempt to force any sectarian views. Therefore few changes were to be expected.

In 1849 new rules were adopted for the Normal Schools,

¹¹⁹ *Election Sermon, Sen. Docs.*, 1859.

¹²⁰ *Supra*, p. 216.

giving a general outline of the course of study. This course substituted moral and intellectual philosophy¹²¹ for the previous statement of the principles of piety and morality common to all sects of Christians.¹²² The first *Report* of Sears was a more businesslike document than those of Mann and did not concern religious education. Hence no discussion was stimulated, though the *Christian Observatory* took occasion to remark that much of the work of Mann needed to be done over again and to call attention to a 50 per cent increase in the students of the West Newton Normal after the departure of Principal Pierce.¹²³ This seems to give color to the declaration in a legislative report that if the common school system were brought under one denomination in religion, its usefulness would be at an end.¹²⁴

In his *Report* for 1851 Secretary Sears first discussed religious education. He believed that Massachusetts had settled the question by putting the schools under the beneficent influence of religion. While the constitution and laws enjoined teachers to inculcate piety and Christian morals, love to God and love to man, the government did not regard religion as one of the legitimate ends of its own organization. Ecclesiastical bodies might propagate and maintain the Christian faith, while the state would employ religion only as a means to its own security and prosperity, and even then only so far as it could do so without violating the rights of conscience. At last a logical statement of the problem had been officially made. He believed that almost all varieties of religious groups were agreed in support of the law as it stood, excluding all distinctive creeds. He emphasized training in virtue as better than theoretical instruction.¹²⁵ The theory was stated according to Baptist principles; the practice under it could hardly vary at all

¹²¹ *13th Annual Report of the Bd. of Ed.*, 1849, pp. 20, 21.

¹²² *10th Annual Report of the Bd. of Ed., Revised*, 1849, pp. 128-132.

¹²³ *The Christian Observatory*, Mar. 1850, pp. 131-139.

¹²⁴ *H. Doc.* 164, 1850.

¹²⁵ *15th Annual Report of the Bd. of Ed.*, 1851, pp. 26, 27.

from that under the statements of Mann. But Sears was orthodox and no longer was there a fear of a sectarian teaching of deism and natural religion.

A glance at the local schools will confirm the impressions of the non-sectarian religious education then provided. An example of a refusal to permit sectarian influence occurred in Templeton about 1842. It was claimed that the teacher was improperly interfering with the religious opinions and feelings of the pupils, and exerting a sectarian influence to the neglect of the regular studies. When the teacher continued after a warning by the committee, the inhabitants availed themselves of the old expedient and stopped the school. The committee agreed that a school should be stopped if necessary to prevent such practices.¹²⁶

The Cambridge school committee in 1848 declared the highest purpose of education the cultivation of the moral and religious capacities and affections; while there was no direct inculcation of moral and religious truth, they commended the use of casual opportunities, such as hanging Scripture verses on the walls. They commended the Mann movement for non-sectarian religious instruction and hoped for new manuals "breathing love to God and love to man." They recommended a school exercise of direct instruction in Christian morals, omitting denominational tenets, and teaching "a recognition of God and his attributes, and of human relations, dependence and accountability, as taught in the Christian Scriptures."¹²⁷ The regulations for the next year provided for moral instruction in conformity with the law, an opening exercise of reading a portion of Scripture and reciting the Lord's prayer, the teaching of the Ten Commandments for permanent memorization, and the use of the Bible at the discretion of instructors.¹²⁸

Newly adopted rules in Worcester in 1853 provided for

¹²⁶ *Abstract of Mass. School Returns*, 1843-1844.

¹²⁷ *Report of the School Committee of the City of Cambridge*, 1848, pp. 28-31.

¹²⁸ *Regulations of the Public Schools, Cambridge*, 1849, pp. 8, 11, 14.

the daily reading of the Scriptures, with a recommendation that this be followed by prayer by the teacher, or the Lord's prayer by the school. Daily instruction in morals and deportment was required.¹²⁹ New Bedford made it the duty of the instructors to inculcate principles of truth and virtue; but though it required a daily reading of a portion of the Scriptures, it was careful to provide that in primary schools, not over 30 minutes should be devoted to it daily.¹³⁰

The Boston authorities recognized the need of better moral training, and believed the consequences of violation of the laws of God and of the land should be pointed out. They advised the use of incidents in the lives of Marshall, Washington, and others as a basis of moral instruction.¹³¹ Their regulations in 1855 required all schools to commence with a devotional exercise, with Scripture reading by the teacher, and recommended prayer, at least the Lord's prayer, by teacher or pupils. It was also recommended that the Ten Commandments be repeated by the pupils at least once a week and instruction in morals was required.¹³²

Salem made similar provisions for the opening exercise in 1842, suggesting that the good readers be permitted to read the Bible as an honor, but that no others be permitted to do so. All pupils were to be provided with Bibles for use in this devotional exercise, but the Bible was not to be used as a textbook.¹³³ Roxbury also required Bible reading at the morning exercises.¹³⁴ In 1847 it was further provided that the Lord's prayer and Ten Commandments should be taught all and that every pupil should audibly repeat them.¹³⁵

About the middle of the century the question of the legality of the use of public school buildings for private

¹²⁹ *Rules and Regulations, Worcester City Doc. No. 8, 1853, pp. 11-12.*

¹³⁰ *Rules and Regulations, New Bedford, 1844-1845, p. 13.*

¹³¹ *Annual Reports of the Public Schools, 1847, City Doc., No. 40, pp. 39-42.*

¹³² *Rules and Regulations, Boston, 1855, p. 24.*

¹³³ *Regulations of the Public Schools, Salem, 1842, p. 25.*

¹³⁴ *Regulations of the School Committee of Roxbury, 1845, p. 7.*

¹³⁵ *Ibid., 1847, p. 12.*

religious education arose in Lowell. Urgent applications by the Sunday Schools for the right to use them had been refused. It appears that the opening of a school by nuns led to a more careful investigation. The legal advice of Tappan Wentworth was sought and he replied that school committees had no right to permit schoolhouses to be used for other than public school purposes, or make legal provision for a Sunday School or other school not under the supervision of the school committee. The result was the adoption of a rule that rooms occupied by the public schools should in no case be let or used for private schools or other purposes.¹³⁶

Evidence of religious but unsectarian teaching also appears from the subjects listed in curricula as follows:

Lowell — Wayland's *Moral Science* ¹³⁷

Cambridge — Paley's *Natural Theology* ¹³⁸

Worcester — *New Testament* in primary and secondary schools ¹³⁹

Bible in grammar schools

Wayland's *Moral Science*

Alexander's *Evidences of Christianity*

New Bedford — Wayland's *Moral Science* ¹⁴⁰

Bible

Salem — Wayland's *Moral Science* ¹⁴¹

Paley's *Natural Theology*

Dick's *Christian Philosophy*

Boston — *New Testament* in the primary ¹⁴²

Hall's *Manual of Morals* in grammar schools

Paley's *Evidences of Christianity*

Moral Philosophy

Natural Theology

¹³⁶ *Annual Report of the School Committee*, 1852, pp. 17-19.

¹³⁷ *Ibid.*, 1846, pp. 24, 25.

¹³⁸ *Regulations of the Public Schools, Cambridge*, 1849, pp. 18-19.

¹³⁹ *Rules and Regulations, Worcester City Doc. No. 8*, 1853, pp. 19-20.

¹⁴⁰ *Rules and Regulations, New Bedford*, 1844-1845, p. 15.

¹⁴¹ *Regulations of the Public Schools, Salem*, 1842, Table.

¹⁴² *Rules and Regulations, Boston*, 1855, pp. 35, 40, 46, 48, 49.

Unless otherwise specified, the books listed were used in the English departments of the high schools. It is noteworthy that the *Greek Testament* had disappeared from the classical departments and left them with absolutely no regular religious instruction. The character of most of the texts mentioned has been previously described. Contrary to the indication of its title, Wayland's *Moral Science*¹⁴³ treated of natural and revealed religion, piety, prayer, the family, Sabbath, and government. It serves to indicate that at that day the term morality connoted much of religion.

The evidence therefore all indicates that by 1855 the schools of Massachusetts had eliminated from public education all sectarian teaching, according to the meaning of sectarian among the Protestant sects who had existed for at least half a century. But this did not exclude a religious spirit in the schools, a morality definitely based on religion, a training in Christian worship with the use of the Bible and prayer, and some teaching of Christianity.

This elimination had been accomplished with no constitutional change, and with no legal change since the law of 1827, whose interpretation was open to considerable doubt. At the same time the use of the Bible in devotional exercises had increased without any legal action. Both of these arrangements would undoubtedly have been permanently acquiesced in, had it not been for the increase in the Roman Catholic population, to whom this arrangement as practiced could not be satisfactory. The Roman Catholic opposition in Massachusetts, but more particularly in other states, led to a narrowly nationalistic American movement, which broke up temporarily the existing party and religious alignments, and united the Protestants to make constitutionally and legally permanent the existing status of public religious education in Massachusetts.

It is therefore necessary to review briefly the Catholic

¹⁴³ Francis Wayland, *The Elements of Moral Science* (New York, 1835).

attitude toward education. That church had retained the medieval idea that education was a church function and a part of its missionary activity was naturally devoted to education. The earliest cases of public support of such education were in New Orleans, where Gov. Bienville brought over Capuchin friars and Ursuline nuns to teach. When the United States purchased Louisiana President Jefferson wrote to the Ursulines reassuring them of the kindly attitude of the government.¹⁴⁴ In New York a Catholic governor, Dongan, invited three Jesuits, who established a classical school on the King's Farm; but his request of King James II that the Farm should be appropriated to its maintenance appears to have been unsuccessful, and the Church of England soon had the Jesuits driven out.¹⁴⁵

Catholicism started late in Massachusetts. Until 1808 the diocese of Baltimore covered all the United States. Then a diocese of Boston was created for New England, but there was but one church in Massachusetts, in Boston, with 720 parishioners. The Irish immigration began about 1829, and in that year the first Catholic school in Massachusetts was founded, of the Ursuline order. Bishop Fenwick led in the establishment in 1826 of a day school for girls and boys; a classical school in the Cathedral in 1829, from which Holy Cross developed; a school at Charlestown in 1829; and St. Vincent's Orphan Asylum, 1832. It was also in 1829 that a canonical assembly at Baltimore adopted the policy of parochial schools for teaching faith and morality along with letters.¹⁴⁶

Soon there occurred an event at Charlestown which shows America at its worst and could well be forgotten, except for the light it throws on the interpretation of later events. An Ursuline Convent had been established in that place,

¹⁴⁴ J. A. Burns, *The Catholic School System in the United States* (New York, 1908), pp. 67, 79-81, 83.

¹⁴⁵ *N. Y. Col. Docs.*, IV, p. 490; Robert Schwickerath, *Jesuit Education* (Freiburg, 1903), p. 202; Burns, p. 104.

¹⁴⁶ Burns, pp. 279-280, 283.

with no public support, no charter of incorporation since all Catholic property was held in the name of the Bishop, and its only relation to the state that of the right of protection of person and property. More than three fourths of the girls were of Protestant parents, and religious teaching was unsectarian unless the parents assented to the use of a formula of faith or catechism.¹⁴⁷ The public feeling was inflamed by violent sermons and the story that a girl was detained against her will; the selectmen investigated and issued a document that the story was untrue; but that night a mob fired the place with tar while the inmates were within, though they escaped.¹⁴⁸ The act by no means had the support of the Protestant community, for the *Boston Transcript* characterized the affair as of atrocious character, complimented the mayor and public on a Faneuil Hall mass meeting of protest, and referred to the commendable course of Bishop Fenwick.¹⁴⁹ Governor John Davis offered a reward of \$500 on behalf of the Commonwealth for any person or persons causing the arrest and conviction of the offenders,¹⁵⁰ while the legislature expressed its "deliberate and indignant condemnation of such an atrocious infraction of the laws."¹⁵¹

For 20 years thereafter an unsuccessful attempt was made to secure indemnification by the state for the loss, on the ground that the institution was not afforded a reasonable protection of the laws. The repetition of the claim tended to inflame the religious animosities, and while admitting the injustice of the act, the Protestants could not think of appropriating money to a Roman Catholic institution even to repair damages. The *Boston Recorder* characterized the Roman Catholic church as a "masterpiece of Satan," most resembling the boa constrictor. It scored the pseudo-liberality which gave them public school money in New York, would appropriate public revenues to them in

¹⁴⁷ *The Jesuit*, Aug. 23, 1834.

¹⁴⁸ *Ibid.*, Aug. 16, 1834.

¹⁴⁹ *Ibid.*

¹⁵⁰ *Ibid.*, Aug. 23, 1834.

¹⁵¹ *Resolves*, 1835, chap. 68.

Massachusetts, and discontinue prayers and hymns in the public schools to please them.¹⁵² So it opposed a compensation for the burnt convent to these "Foreign Religionists" who were making "preposterous and absurd demands."¹⁵³ The Baptist *Watchman* contended, on the other hand, that it was a question between citizens of the state, not between Protestants and Catholics. But they did not believe the taxpayers were willing to accept responsibility for the burning.¹⁵⁴

In 1853 Benjamin F. Butler chanced to be tilting his ever active lance in behalf of the Catholics and headed an investigation by a legislative committee which reported that during the outrage the Charlestown police were supine and the selectmen who witnessed the event made no attempt to arrest the culprits, and there was therefore lack of due diligence. In 1835 the state had recognized a responsibility for a prevention of such occurrences and enacted a law providing a penalty for all magistrates who failed to use all possible means to suppress riots; as no indemnity had been paid, a bill for it was reported.¹⁵⁵ This failed, and the next year the House refused third reading to a similar bill, 26-186.¹⁵⁶

The incident by no means should be interpreted as indicating that the state was unprepared to afford protection to religious education of a private character made under Catholic auspices. It was rather due to negligence, and the prejudices aroused prevented a compensation and made difficult a settlement of the wider problem of the relation of the Catholic children to the non-sectarian education of the public schools.

The most promising attempt to settle this by a spirit of compromise was made in Lowell. A considerable Irish

¹⁵² *The Boston Recorder*, Feb. 16, 1834, p. 26.

¹⁵³ *Ibid.*, Feb. 9, 1843, p. 22.

¹⁵⁴ *The Christian Watchman*, Feb. 9, 1844, p. 22.

¹⁵⁵ *H. Doc.* 160, 1854.

¹⁵⁶ *Journal of the House of Representatives*, 1854, p. 891.

population had congregated on the "acre" between 1820 and 1830, and because of the Protestant character of the public schools would not allow the children to attend them. In 1831 the "acre" was made a district and an appropriation for a school made, but instead the Irish children had patronized an Irish teacher approved by the priest, so far as they attended.¹⁵⁷ Just why this district school failed or what the arrangements were is not clear; but the event called forth a most significant letter from Bishop Fenwick, indicating that public support of a Catholic school would be accepted only on the basis of the employment of Catholic teachers and the teaching of Catholic doctrine.¹⁵⁸ This

¹⁵⁷ Walsh, *The Early Irish Catholic Schools of Lowell, Mass.*, pp. 7-8; Theodore Edson, *An Address delivered at the opening of the Colburn Grammar School, in Lowell, Dec. 13, 1848*, pp. 18-19; Burns, pp. 285-286.

¹⁵⁸ Walsh says of the letter of the Bishop: "Clearer words to put forth the Catholic position have never been penned." It may therefore be taken as a statement of the present as well as past Catholic attitude. The letter follows.

BOSTON, March 26, 1831.

DEAR SIR:

I received a few days ago your kind communication. I see no impropriety in the Catholic school in your town receiving aid from the school fund, especially if the Catholics of Lowell have contributed their portion by the payment of taxes or otherwise, toward the support of said fund. Common justice would entitle them to something out of it, for the payment of their Master. But I really do not understand how, in this liberal country, it can be made a condition to their receiving anything, that they, the Catholics, shall be in that case debarred from having a Catholic teacher, learning out of Catholic books, and being taught the Catechism of the Catholic church. We can never accept such terms. I have no partiality for Mr. — further than I think him a conscientious, good, moral man. As to his qualifications as a teacher I have not much to say. I am aware they are not very great, but are they not sufficient as yet for those little children he has the care of? However, if the good Catholics of Lowell have an objection to him, I shall not wish to retain him. But it is all important that the individual whom they may select to replace him be one qualified to instruct children in the principles of their religion, for I would not give a straw for that species of education, which is not accompanied with and based upon religion. I remain,

Your obedient servant,

B. BP. BN.

of course would have violated the sectarian book law in a public school, and the town could not legally have appropriated for other than a town school.¹⁵⁹

No real agreement on the matter was arrived at until 1835, and meantime two parochial schools had been established at Chapel Hill and under St. Patrick's Church. In that year the priest, Rev. Father Conelly, applied for aid for these from the town, and made an arrangement which kept the spirit of the terms made by Bishop Fenwick and was well within the law.¹⁶⁰ The Lowell regulations for schools then provided that teachers should continue in office only on their merits, that the morning exercises of all schools should commence with Scripture reading and prayer, and that only such books might be used, studies pursued, or exercises required as were authorized by the board.¹⁶¹ Under an agreement subsidiary to these rules the parochial schools were adopted into the town system, as reported in the *School Report* for 1836. The town requirements were as follows:

“1. That the instructors must be examined as to their qualifications by the committee, and receive their appointments from them.

2. That the books, exercises, and studies should all be prescribed and regulated by the committee, and that no other whatever should be taught or allowed.

3. That these schools should be placed, as respects the examination, inspection, and general supervision of the committee, on precisely the same footing with the other schools of the town.”¹⁶²

Father Conelly agreed on condition that all instructors should be Catholic, the books should contain no facts not admitted by the Catholic church, and no remarks reflecting

¹⁵⁹ *Cushing v. Inhabitants of Newburyport*, 1845.

¹⁶⁰ Walsh, p. 9.

¹⁶¹ *Regulations for the Public Schools of the Town of Lowell*, 1832, pp. 7, 8.

¹⁶² Walsh, p. 9.

injuriously on their system or belief. Later he approved the regular books in use.¹⁶³

The town immediately began support of these schools, for we find these items of expense:

The Salaries of Instructors, Year ending March 1, 1836. ¹⁶⁴	
Patrick Collins	\$223.98
Daniel M'Iroy	71.92
Mrs. Woodbury and Daughter	95.92

Items in fiscal year, 1836. ¹⁶⁵	
Daniel M'Iroy	262.50
Patrick Collins	262.50
Mary J. Woodbury	131.25
Richard Walsh	20.15
Patrick M'Donough, finishing schoolroom in Catholick Church	155.00

Patrick Collins had been an instructor in the town schools and was put in charge of the school in the church basement. Mrs. Woodbury was a convert from Protestantism and she and her daughter assisted in the primary. Daniel McIlroy had had charge of the Chapel Hill school and was adopted into the town system with the school. In 1838 the Collins and McIlroy schools were combined to form the Fifth Grammar School.¹⁶⁶ The teachers in the schools were laymen, but all Catholics and carried on the regular rolls. The repairs in the Catholic church are accounted for by the fact that School No. 11 was located in the basement, the rent being guaranteed to the city free for five years from September, 1836, but the city owning the stove and other furniture and paying for repairs. No. 15 later had free rent there and the city was tenant at sufferance.¹⁶⁷ Unfortunately there is no evidence as to the character and amount

¹⁶³ *Ibid.*

¹⁶⁴ *Expenses of the Town of Lowell, Yr. Ending Mar. 1, 1836*, p. 1.

¹⁶⁵ *1st Annual Report of Receipts and Expenditures of the City of Lowell*, 1836, pp. 8, 9, 10.

¹⁶⁶ Walsh, p. 10.

¹⁶⁷ *Annual Report of the School Committee of Lowell*, 1840, pp. 5, 6.

of religious education. Bible reading and prayer was required in all schools of the city, and it is possible that the Douay version was used. After school the pupils attending at the church could have been given religious instruction by the same teacher or the priest. It is possible that this was arranged for all the children. At any rate, it is probable that it was given in some way after hours, as it would not have been permissible in school hours by state law or municipal regulations. But Bishop Fenwick would probably not have permitted the system unless it was given in some manner.

For some years this system worked very satisfactorily. After the first half year the committee reported it was "eminently successful."¹⁶⁸ In 1837 the mayor of Lowell complimented the schools in general, referring to them as "these public nurseries of intelligence, freedom, good order, and religion."¹⁶⁹ For the year from March to March, 1837-1838, the average attendance, less than half the enrollment, was:¹⁷⁰

<i>Teacher</i>	<i>School</i>	<i>Males</i>	<i>Females</i>
Patrick Collins	Grammar No. 4	54	28
Daniel McIlroy	Grammar No. 5	29	22
Peter McDermott	Primary No. 11	25	27
M. A. and S. M. Woodbury	" No. 15	48	50
Richard Walsh	" No. 19	29	30

The report for the year mentioned the prosperous condition of the Irish schools and added that the Irish were not excluded from the other city schools and did attend. The report for the following year referred to the union of the two grammar schools to improve their character and stated that the time schedule and rotation of exercises was now the same as in other schools of the same rank.¹⁷¹

In 1840 there were one grammar school and five primaries

¹⁶⁸ Walsh, pp. 10-12.

¹⁶⁹ *Address of the Mayor, Apr. 3, 1837*, p. 6.

¹⁷⁰ *Annual Report of the School Committee of Lowell, 1838*, Table.

¹⁷¹ *Ibid.*, 1839.

and the committee congratulated themselves on the wisdom of the plan adopted, which they believed to be peculiar to Lowell. The advantages were more Irish in school, crime prevention, and no prejudice or exclusiveness. It believed there was no danger from the concessions made so long as the committee prescribed the course of study and it was the same as in other schools.¹⁷² Two years later the committee reported a new house needed for the Irish grammar school, and that the five Irish primaries were well conducted and better patronized and needed more rooms near the new Catholic church.¹⁷³

In 1844 dissatisfaction with Principal Flynn and other teachers led to a petition for their removal by Catholic parents and a marked slump in the attendance. The committee appointed Mr. Shattuck, who may not have been a Catholic, in his place, and the agreement was continued in operation. But apparently the schools gradually lost their distinctive character and non-Catholics were appointed as teachers.¹⁷⁴ In 1849 the grammar school was named the Mann School in honor of Horace Mann,¹⁷⁵ hardly a compliment to the Irish. About that time the chairman of the school committee referred to the successful plan which had been used to bring the Irish under the influence of public school instruction.¹⁷⁶ By 1851 there were almost as many Irish in other grammar schools as in the Irish Mann School.¹⁷⁷ The report for that year stated that the exclusive school idea had been yielding to a wiser policy. The importance of the problem appears from the fact that 43 per cent of the parents of primary children were of foreign birth.¹⁷⁸ The exclusively Irish schools must then have been giving religious training, for all the grammar principals re-

¹⁷² *Ibid.*, 1840, p. 7.

¹⁷³ *Ibid.*, 1842, p. 4.

¹⁷⁴ Walsh, pp. 12-14.

¹⁷⁵ *Annual Report of the School Committee of Lowell*, 1849, p. 13.

¹⁷⁶ Edson, p. 19.

¹⁷⁷ *Annual Report of the School Committee of Lowell*, 1851, p. 88.

¹⁷⁸ *Ibid.*, p. 11.

plied that they introduced the morning session with prayer and Scripture reading; all the primary teachers were beginning with prayer except possibly two who did not answer.¹⁷⁹ Therefore by this time the Irish schools were practically no different from the others, except that only Irish attended some of them. Doubtless the school authorities had accomplished what they wished, they had coaxed the Irish into the public schools. The special agreement seems from now on to have been forgotten in the passions of the Know-Nothing movement and the establishment of parochial schools.

Dissatisfied with the lay religious instruction which was being given under the special agreement, the Catholics in 1852 established a free school for girls under the direction of the Sisters of Notre Dame. The Catholics hoped to have this adopted into the compromise arrangement, but the school authorities naturally refused to put Sisters of a Catholic religious order on the payroll.¹⁸⁰ The result was the gradual establishment of a system of private parochial schools rather than the more democratic system of all children in the public schools, with no religious education given which would violate the conscience of anyone or promote the interests of a particular religious group, a compromise which neither side was willing to make. The Protestants by employing Protestant teachers for Irish children, who undoubtedly read from the King James version of the Bible, violated the former; the Catholics, by applying for school funds for nuns to teach distinctive Catholic doctrines, not only violated the latter but asked what was legally impossible. The passage just at this time of the first compulsory school attendance law gave the school committee the opportunity to say that this school was being established to supply a deficiency in the religious education of Catholics, while it was the duty of the state to see that all children were educated on a common basis. It believed that the state must retain a general oversight, since no children

¹⁷⁹ *Ibid.*, p. 92.

¹⁸⁰ Burns, pp. 287-290; Walsh, pp. 14-15.

could work in mills without an amount of schooling which the state deemed competent.¹⁸¹ The following year a large section of the report was headed *Sectarian Schools*.¹⁸² Admitting the right of any sect to establish its own schools, it believed they should be permitted only if they subserved the object of the free school system established and made compulsory by law. Because there was, however, no opportunity of investigation by the school board, because the avowed object was religious teaching rather than training of the mind as in public education, and because experience proved instruction in the parochial schools was inferior in the regular subjects, it believed they did not meet the purpose of the democratic system of public schools. The committee did not argue for prayer, Bible reading, or a creed in the public schools; it would keep out sectarianism and prevent sectarian parochial schools. This statement is a splendid example of how the Catholic demands solidified the demand for a totally unsectarian public education.

In 1854 some of the Irish girls returned to the public schools from the parochial school,¹⁸³ but the parochial school had really become a permanent institution. No supervision by the school committee apparently existed, except that a form of employment certificate was prepared, by which the private teacher certified that the child had attended for eleven weeks, had had instruction in certain specified subjects, and had been taught by a legally qualified teacher.¹⁸⁴ Thus the parochial schools met the provisions of the attendance laws and gave whatever religious education they pleased; the publicly supported schools gave no creedal teaching, but religion was incidentally given "in reading the Bible, offering prayer, inculcating the love of God and the love of man."¹⁸⁵

The Lowell experiment has been given because it was

¹⁸¹ *Annual Report of the School Committee of Lowell*, 1852, p. 20

¹⁸² *Ibid.*, 1853, pp. 42-48.

¹⁸⁴ *Ibid.*, p. 23.

¹⁸³ *Ibid.*, 1854, pp. 20, 21.

¹⁸⁵ *Ibid.*, 1855, pp. 14-15.

unique in Massachusetts but brought out more clearly the underlying difficulties which presented themselves wherever there was a Catholic population, and showed that while the settlement made on the terms of Horace Mann might be temporarily expedient, where only Protestant sects were involved, its faulty principles could not stand general application. To be sure, Mann advocated the right of every parent to determine the religious education of his children, but his system did not actually permit that. We shall now notice briefly the reaction of the state in general to the Catholic problem.

The question of parochial church schools as opposed to public schools was not entirely a Catholic one. In New York the early education was by church schools, and in 1801 the state legislature divided the school money of New York City among its different religious denominations. The Reformed Dutch, the Episcopalians, the Baptists, Methodists, and Catholics claimed funds under this provision.¹⁸⁶ But later when the Catholics asked funds for their regular parochial schools, about 1840, the Reformed Dutch, Presbyterians, Methodists, and Baptists were found in opposition and the result was the passage in 1842 of a law prohibiting all school money to schools allowing sectarian teaching.¹⁸⁷ The attitude of Bishop Hughes of New York in this struggle in that state attracted attention to the Catholic position throughout the country. The *Boston Recorder* was in strong opposition to the Catholics and quoted a New York sermon opposing the Catholic attempt to remove the Bible from the public schools and advising them to establish papal schools and write on them: "Who enter here, leave the Word of God behind."¹⁸⁸ The *Christian Register*, Unitarian, noted the Catholic advances and that they had in some places caused the exclusion of the Bible

¹⁸⁶ A. J. Hall, *Religious Education in the Public Schools of New York* (Chicago, 1914), pp. 36-50.

¹⁸⁷ *Ibid.*, pp. 53-62.

¹⁸⁸ *The Boston Recorder*, July 6, 1843, p. 108.

from the schools, but considered it a providential reward for their exceptional labors.¹⁸⁹ But "Franklin" in the *Boston Courier* thought the only way out was to exclude all religious instruction, including the reading of the Bible, from the public schools. Any religion taught must necessarily be sectarian.¹⁹⁰

But precisely this exclusion of religious teaching was now driving some denominations to the temporary advocacy of parochial schools. We have seen how the Episcopalians and Presbyterians as well as the Catholics were facing that way and the Congregationalists of Massachusetts considered it in 1848.¹⁹¹ But a writer in the *New Englander* opposed this tendency because the public and private systems could not well exist side by side, the public system was established and the other new and untried, the former was necessary for a democratic education of all the people in an efficient way, and it was possible to have religious instruction which would be fair to all sects in the public schools. Children should be educated as Americans, not Baptists, Episcopalians, Protestants, Catholics, or foreigners. Catholics refused to attend because the common schools were unfairly and unwisely made Protestant, but there would be no trouble if all were treated alike. With prophetic insight this periodical claimed that the state was of no religion, and suggested a division of labor, with the state providing the secular teaching and the religious teaching provided "in other and better ways." Two plans proposed to meet these general principles were extremely significant. One provided for religious instruction in schools, by local agreement on what should be taught, or by special classes each using their own manual or catechism, or by instruction by ministers at particular hours with optional attendance. This plan was at least fair to all, though illegal in Massachusetts. But a preferred plan was to exclude direct religious instruction from the day school, where it was con-

¹⁸⁹ *The Christian Register*, Apr. 20, 1844, p. 62.

¹⁹⁰ *The Boston Courier*, Mar. 27, 1847.

¹⁹¹ *Supra*, p. 246.

sidered to be of little value, and leave it to the Sabbath school, sanctuary, pastors, and parents. It hoped the Presbyterians would give up their parochial schools.¹⁹²

These incidents show the uncertainty which prevailed among Protestants until the potato famine sent the Irish Catholics to these shores in shiploads, about 1848. The year previously Mayor Josiah Quincy of Boston collected and sent \$150,000 for famine sufferers. So it is small wonder that many of them landed in the home of the Puritans and Pilgrims. Here many were engaged in construction work during the period of railroad building or went into the rising factories of the New England towns and cities. Starting in poverty and living in squalid quarters provided along construction jobs or around factories, their numerous progeny for whom the church could not immediately provide adequately and who did not attend the common schools became a matter of official concern to the public authorities. The priests thought the non-sectarian schools a device for the Americanization of the Irish by making them lose the Catholic religion.¹⁹³ This is probably not the reason for making the schools non-sectarian, for the law was passed before the new problem attracted attention. But the children were notable for their absence from school. It was doubtless this situation which influenced the Lowell authorities to compromise somewhat to get them into the public schools. About 1851 there was a marked hostility of the Catholic periodicals and authorities to the public school system, and a determined attempt made to finance

¹⁹² *The New Englander*, April, 1848, pp. 230-249.

¹⁹³ Louis S. Walsh, *Religious Education in the Public Schools of Mass.*, in *Am. Cath. Qr.*, Jan. 1904, pp. 106-111. Walsh states that an acquaintance of Mann converted to Catholicism believed the real purpose of the non-sectarian schools was to make the Catholic children acquire the American conception of civic virtue in exchange for their religion. But Mann in his twelfth *Report*, p. 135, gave as a reason for them the fact that the foreign parents of Boston, whose children constituted a majority in the primary schools, would not send their children to sectarian schools in large part.

parochial schools.¹⁹⁴ It was in the following year that the Sisters of Notre Dame came to Lowell.

While Secretary Sears was opposed to having the state do the work of the church, he was sufficiently interested in the benefit to the state from the religious education of the church that in 1852 he conducted an investigation as to the percentage of school children attending Sunday Schools in six typical cities and small towns — Boston, Andover, Fall River, Boxford, Wayland, and Lowell. Of 13,496 children, he found 12,026 were then in Sunday School, 1,008 had previously been, and only 462 had never attended. Of the last class they had home instruction, were very young, or the children of Irish immigrants or Quakers.¹⁹⁵

In the same year an attempt was made to bring particularly these immigrant children under the influence of some instruction by the passage of the compulsory attendance law. The writings of the period are full of references to the increasing criminality and poverty; and education, with a morality based on religion, was to be compulsorily applied to prevent this. This statute was the first of the kind in the United States; hence up to this time no one had been compelled to attend religious education in public schools. But this law only provided that parents of children 8 to 14 must send them to school 12 weeks annually unless they were otherwise instructed or had finished the branches of the public schools.¹⁹⁶ Hence parochial schools could be substituted and if so no one need receive an instruction in religion to which he objected. Despite the law Secretary Sears in 1854 pointed out that the school population was increasing twice as fast as the attendance and attributed this to the policy of those who wished the Bible excluded from the schools.¹⁹⁷

¹⁹⁴ Porter, p. 88.

¹⁹⁵ *18th Annual Report of the Bd. of Ed.*, 1854, pp. 102-104.

¹⁹⁶ *Acts*, 1852, chap. 240, sec. 1, 2, 4.

¹⁹⁷ *18th Annual Report of the Bd. of Ed.*, 1854, p. 66.

The Secretary also summed up the religious situation during his first six years. There had been two classes who had opposed non-sectarian religious education by the state. One wanted parochial schools or schools like colleges and academies; the other said state schools should exclude religion entirely and in some places prayer was prohibited. The coming of the Irish strengthened the position of the latter, because it was considered necessary to educate them in the public schools to prevent riot and misrule. But they had also come to see that a reliance on religion was necessary to preserve the social order. Therefore the great bulk of the community was now united "on the common ground of a Christian but unsectarian education for all the children of the Commonwealth." He expressed little sympathy for the exclusion of the Bible and believed it might be left to the conscientious teacher to teach the principles of piety. He hoped the children of the Catholics would return to the public schools when they saw the idea of sectarian schools supported by the state was entirely discarded by the state. In some towns all the clergy were still elected to the school committee regardless of qualifications, and in others they were all kept off.¹⁹⁸

Meantime the question was becoming involved in the discussions of a constitutional convention and in party politics. There had previously been a tendency for the Democrats to court some of the Calvinist elements of the interior who chafed under Whig Unitarian control of the state and its educational system and Harvard. In 1850 the Democrat and Free Soil parties united and elected the Democrat, George S. Boutwell, governor, and Charles Sumner as a Free Soil United States senator. Because of their support in the interior towns, they desired to change the system of state representation to the advantage of the rural districts, and called a constitutional convention in 1853. The Convention was organized and controlled by this Coalition. Robert T. Davis, an Irishman of Fall River, was the sole

¹⁹⁸ *Ibid.*, pp. 45-48, 66, 67.

representative of his race.¹⁹⁹ Some idea of the religious divisions among the people at the time may be derived from the following enumeration of religious parishes: Congregational Trinitarian, 473; Methodist Episcopal, 255; Baptist, 250; Unitarian, 172; all others, 371.²⁰⁰

No changes relating to religion or education were reported by the committee on the preamble and bill of rights, under the leadership of Charles Sumner. A memorial had been presented against any establishment or recommendations of religion.²⁰¹

The question of prohibiting appropriations to sectarian schools came up as one of the minor matters and was not a party issue then. It happened that in that year the Catholics had demanded a division of the money in several states.²⁰² The only actual payment in Massachusetts for Irish schools was in Lowell, and these could not be called sectarian according to the current definition. At least this plan was hoped for in other places and pay for the Sisters of Notre Dame had been asked in 1852.²⁰³ The first proposal for the prohibition was made by Mr. Powers of Lowell, providing that the School Fund should never be applied to sectarian schools or schools founded upon sectarian principles.²⁰⁴ This proposal came back from the committee on the encouragement of literature, of which the former Whig governor, George N. Briggs, a Baptist, was chairman, with the prohibition applied also to money raised by taxation, and the term denominational as well as sectarian applied to the excluded schools.²⁰⁵ After the committee of the whole had recommended it should pass,²⁰⁶ Mr. Stetson of Braintree moved on second reading to add colleges. This

¹⁹⁹ *A Manual for the Constitutional Convention*, 1917, pp. 41-46.

²⁰⁰ *Sen. Doc.* 134, 1854.

²⁰¹ *Documents, Constitutional Convention*, 1853, No. 107.

²⁰² Martin, *Evolution of the Mass. Pub. Sch. System*, pp. 231-236.

²⁰³ Walsh, *The Early Irish Catholic Schools of Lowell*, p. 18.

²⁰⁴ *Debates and Proceedings in State Convention*, 1853, I, p. 359.

²⁰⁵ *Documents, Constitutional Convention*, 1853, No. 93.

²⁰⁶ *Journal of the Constitutional Convention*, 1853, p. 188.

brought out the direct statement from Dr. Samuel K. Lothrop, a Boston clergyman of the committee, that the intended purpose was only to provide against a denominational and sectarian influence in the common schools supported by taxation, and that it would be unwise to preclude later appropriations to colleges, with which particular religious views were associated.²⁰⁷ Opposition to the proposed amendment was expressed by Mr. Frothingham of Charlestown, who thought the constitution already guaranteed all sects equality and that was sufficient; and by an orthodox Amherst graduate, Mr. Keys, who asked whether it was aimed at the Catholics, and said that Holy Cross at Worcester, which had burned, though the strictest sectarian college in New England, had the same right to funds from the state as Harvard or Amherst.²⁰⁸ Subsequent discussion showed that the convention wished to draw a line between state aid to sectarian common schools, and sectarian academies and colleges; although Mr. Bird of Walpole argued for the logical conclusion that the principle should be the same in common schools, normal schools, and colleges. He asserted that the Catholics would not oppose the new constitution if all were thus treated exactly alike.²⁰⁹ Because the important changes in the constitution related to party advantages in representation, the question of adoption would have to be fought on a party basis, and the Catholic vote was therefore not to be ignored.

After the convention had settled upon the idea that the scope of the amendment should include only the common schools, they did not have the courage to define the word sectarian. Mr. Rantoul of Beverly, who had sat in the convention of 1820, with a wisdom born of experience, warned that they could not agree on the meaning of that term and that the Catholics would say the Protestant schools were sectarian and vice versa. He warned against stirring

²⁰⁷ *Debates and Proceedings*, II, p. 543.

²⁰⁸ *Debates and Proceedings*, II, pp. 543-545.

²⁰⁹ *Ibid.*, II, pp. 545, 546, 548.

up trouble between the two groups.²¹⁰ Then Mr. Blagden brought out openly that it was "a Catholic measure" in the true sense of the term. By this he meant that it was designed to prevent appropriations to a particular religious sect which had applied for funds in other states, and to preserve the common schools where all religious sects would meet together and receive a modifying influence.²¹¹ He failed to see that a rival system of parochial schools was certain to come anyway unless the term sectarian could be defined satisfactorily. Rather than leave the definition to the courts as to whether the reading of the King James or Douay versions would constitute sectarian instruction, it was suggested by several that a form prepared by Mr. Parker of Cambridge, which omitted sectarian and gave money only to schools under the regular administration of the public authorities, was preferable. This excluded parochial schools and at the same time left it to the committees to interpret the law of 1827, at least in the first instance.²¹²

After two unsuccessful attempts had been made to take from the table the original committee amendment,²¹³ Mr. Parker of Cambridge submitted his in exactly the form in which it became a part of the constitution two years later. It read as follows:²¹⁴

"All moneys raised by taxation in the towns and cities for the support of public schools, and all moneys which may be appropriated by the state for the support of common schools, shall be applied to, and expended in, no other schools than those which are conducted according to law, under the order and superintendence of the authorities of the town or city in which the money is to be expended; and such moneys shall never be appropriated to any religious sect for the maintenance, exclusively, of its own schools."

²¹⁰ *Ibid.*, II, p. 546.

²¹¹ *Ibid.*, II, p. 547.

²¹² *Ibid.*, II, pp. 549-550.

²¹³ *Journal*, pp. 241, 289.

²¹⁴ *Debates and Proceedings*, III, p. 337; *Documents*, No. 123; *R. L.*, I, p. 47.

On July 27 the Parker amendment was substituted for the committee one and passed without explanation or debate.²¹⁵ But immediately reconsideration was moved and a real debate ensued.²¹⁶ The opposition was distinctly in behalf of the Catholics, or at least wished to treat everybody including Harvard on the same basis, if it passed at all; but one fifth did not support a motion for the yeas and nays, and the motion to reconsider was ultimately lost 87-183. It was not a party issue. Parker was a Whig and connected with Harvard, so that it was charged the word *exclusively* was inserted to make sure that Harvard could still get funds, as was not so certain under the original committee resolution presented by Briggs, also a Whig. Butler and Bird of the Coalition were leading opponents, but Butler said he wished Briggs were there to aid them during the debate. It is probable, however, that the Coalition were more anxious to conciliate the Catholics. It appears plain that the purpose of the convention as a whole was to prevent Catholic parochial schools from receiving public funds while at the same time leaving the way clear to appropriations to colleges and academies which were sectarian in control or teaching. They were willing to trust the legislature not to appropriate to the College of the Holy Cross.²¹⁷

Mr. Hallett objected properly to the ambiguity of *exclusively* and said it made the Supreme Court an ecclesiastical judge. Mr. Wood of Fitchburg believed that Protestant Bibles and prayers made the common schools sectarian and because the Irish must be educated appropriations should be made for schools for them. Mr. Butler considered it a sectarian attack and that the common schools were then sectarian. Some would let well enough alone.²¹⁸

On the other hand, it was argued that reconsideration would mean approval of sectarian schools; that the present schools teaching broad religious truths were not sectarian, and if bigotry kept the Catholics away, the state was not

²¹⁵ *Debates and Proceedings*, III, p. 472. ²¹⁷ *Ibid.*, pp. 613-626.

²¹⁶ *Ibid.*, III, p. 474.

²¹⁸ *Ibid.*, pp. 615-622.

responsible; that this amendment would keep the schools free of sectarianism so that the Catholics could attend them; and Mr. Crowninshield of Boston said it was useless now to try to conciliate the Catholics, for they knew why the amendment had been originally passed and that the question of representation had also been settled to their disadvantage.²¹⁹

Thus the amendment went to the people with the rest of the work of the convention. This particular amendment was scarcely mentioned in the extensive discussions, and while not a party issue went down to defeat in the general Whig victory of winning the election of state offices and defeating the work of the constitutional convention.²²⁰ The *Boston Post* favored the constitution but not the Coalition with Free Soil, and this Democratic paper is authority for the statement that the Whig opposition did not extend to the amendment relative to school monies.²²¹ One cause of the defeat of the whole document has been ascribed to the effective Irish opposition, under the leadership of priests and periodicals, because of the sectarian schools amendment and the additional representation conferred on the rural districts.²²² But fashionable Whig Boston opposed as much as the Irish wards, and the sectarian amendment was lost by 401 votes. The vote on all propositions was also narrow.²²³

This, however, did not end the proposition. Emory Washburn, the last Whig governor of Massachusetts, recommended some of the defeated proposals for legislative ref-

²¹⁹ *Ibid.*, pp. 617-626.

²²⁰ *Discussions on the Constitution, 1853* (Boston, 1854), pp. 228, 230, 235-257; *Boston Post*, Sept. 30 and Oct. 1, 1853; James Schouler, *The Massachusetts Convention of 1853*, in *Proceedings of the Mass. Hist. Soc.*, 2d ser., XVIII, pp. 30-48.

²²¹ *Boston Post*, Nov. 11, 1853.

²²² C. F. Adams, *Richard Henry Dana, Biography* (Boston, 1890), I, pp. 239-251.

²²³ *H. Doc.* 5, 1854; *A Manual for the Constitutional Convention, 1817*, pp. 63, 64.

erence to the people; but he did not include the one on sectarian schools.²²⁴ Mr. Colburn of Dracut was later able to get reference of the sectarian amendment to the joint special committee to whom this section of the governor's message had been referred, and later to compel them to report on it.²²⁵ It was passed speedily in the House under suspended rules, with only eight votes in opposition; and it was concurred in by the Senate.²²⁶ In the following year Governor Henry J. Gardner recommended the second passage required for reference,²²⁷ it passed the House with only Mr. Terry of Freetown in opposition,²²⁸ and subsequently went through all stages to a popular ratification May 23, 1855.²²⁹

In the hectic state of Massachusetts policies characterizing the period, the election of 1854 had put the American or Know-Nothing party in absolute control. A year before the election lodges of the Supreme Order of the Star Spangled Banner had quietly spread over the state and the effect of their propaganda was surprisingly evident when a Senate was elected composed entirely of Know-Nothings and there were solitary representatives in the House of the Whig, Democratic, and Free Soil parties. Twenty-four members of the legislature were clergymen.²³⁰ In this temper the passage of the sectarian school amendment was a foregone conclusion; but it would have passed if the Americans had not won. In his *Inaugural* Governor Gardner boldly proclaimed an American program of the English language in all schools aided by the state, the retention of the Bible in the common schools, and the entire separation of church and state. His slogan was "Spiritual Freedom, a Free Bible, and Free Schools." But since the days of persecu-

²²⁴ *Sen. Doc.* 3, 1854.

²²⁵ *Journal of the House of Representatives*, 1854, pp. 114, 877, 887.

²²⁶ *Ibid.*, pp. 983ff., 1022; *H. Doc.* 193, 1854.

²²⁷ *Acts and Resolves*, 1855, p. 986.

²²⁸ *Boston Daily Courier*, Feb. 20, 1855.

²²⁹ *R. L.*, I, p. 47.

²³⁰ George H. Haynes, *A Know Nothing Legislature*, in *An. Report of Am. Hist. Asso.*, 1896, I, pp. 177-187.

tion of Quakers the tables had turned. Then the Quaker objected to state domination of religion; now the American objected to state subordination to the church. Men who were taught that the spiritual overrode the temporal would vote to help the church, not the state. After proposing a set of radical amendments aimed at persons of foreign birth, he said regarding schools:

"Our schools, we are confident, will continue to prosper while in them are inculcated the great lessons of morality and Christianity drawn from The Book which for more than 200 years has been read in them by successive generations."²³¹

During the session bills were introduced for an examination and inspection of teachers in private schools, and for compulsory Bible reading in public schools. Only the latter passed.²³² It was reported by a special committee in a form to require a daily reading of some portion of the Bible in the common English version, and authorizing the school committee to direct what other books shall be used in the public schools.²³³ It was passed to third reading after a long debate as to whether to require the reading to be by the pupils, with the result that it was finally left so that the local committees could decide.²³⁴ Despite a Senate attempt to specify the King James version, the bill was passed in the above form.²³⁵

The period since the establishment of the State Board of Education in 1837 had seen a large amount of discussion regarding the relation of the state to religious education, but little actual legal change. At the beginning sectarian books were prohibited and oral sectarian instruction was considered to be within the spirit of the prohibition. There was little opposition to this and the teaching of distinctive

²³¹ *Acts and Resolves, 1855*, pp. 977, 986-987, 998.

²³² Haynes, as *supra*.

²³³ *H. Doc.* 108, 1855.

²³⁴ *The Puritan Recorder*, Mar. 1, 1855.

²³⁵ *The Watchman and Reflector*, Mar. 1, 1855; *Acts, 1855*, chap. 410.

doctrines was an exception; but when it was feared that the common schools were to be used to foster deism, natural religion, or Unitarianism, a denominational jealousy arose and was fostered by a misunderstanding of the real aims of Horace Mann, starting originally from the Packard pamphlet. These discussions showed that with the exception of some Episcopalians and a few Congregationalists, the Massachusetts leaders all favored a non-sectarian religious education in the public schools, and would require this much in practice and permit no more. School regulations and textbooks conformed to this standard. There was a gradual increase in the use of the Bible in the schools and in a moral training based on the principles of Christianity. But direct religious instruction was practically non-existent, though the atmosphere of the schools was favorable to Protestant Christianity. When it was clear this non-sectarian religious education was not aimed to promote Unitarianism or deism, and it came to be associated more with civic than ecclesiastical purposes; and when the Roman Catholics appeared in numbers sufficient to demand with some possibility of success that they be not subjected to what they considered a sectarian Protestant religious education, and that in lieu of that they be given money for parochial schools for the teaching of Catholic doctrines, a rising tide of nationalism united the Protestant sects to provide in the fundamental law against a possible use of state money intended for common schools in sectarian schools which were not in the regularly administered system of common schools. But this was more a matter of expediency than principle, for care was taken to exclude colleges from the prohibition. By requiring the reading of a Protestant version of the Bible in all public schools, the legislature showed its desire to promote a religious training which it did not consider sectarian and which Catholics did. While the legislature would have been glad to make this compulsory for all children, the law was left loose enough so that any could escape by attending unsupervised parochial schools.

CHAPTER VIII

THE WITHDRAWAL OF STATE SUPPORT OF SECTARIAN HIGHER INSTITUTIONS, 1837-1917

PREVIOUS to the period under consideration we have seen that the state had largely departed from its early policy of patronage of academies and colleges, but not because they taught religion, or even sectarian religion. We shall now see how the withdrawal of support was intermittently disregarded and finally became permanent.

The policy of the incorporation of academies and similar institutions of course continued, but without grants of land.¹

<i>Name</i>	<i>Place</i>	<i>Date</i>
New England Academy	Cohasset	1838
Townsend West Village Female Sem.	West Townsend	1839
Sheffield Academy	Sheffield	1840
Ashby Academy	Ashby	1840
Williston Seminary	Easthampton	1841
Truro Academy	Truro	1841
Washington Seminary	Needham	1841
Pepperell Academy	Pepperell	1841
Great Barrington Academy	Great Barrington	1841
Drury Academy	North Adams	1841
Greenfield Institute	Greenfield	1843
South Yarmouth Academy	Yarmouth	1843
Ireland Academy	West Springfield	1844
Winchendon Academy	Winchendon	1845
Lowell	Lowell	1846
Pine Grove Seminary	Harwich	1846
Lee Academy	Lee	1847
Adelphian Academy	North Bridgewater	1847

¹ For purposes of reference, a list of such institutions chartered from 1838 to 1875 is given here, compiled from *H. Doc. 32, 1848*, and from Walton, *Report on Academies, in 40th Annual Report of the Bd. of Ed.*, Appendix, pp. 176-181. Some may have existed without incorporation after 1847.

<i>Name</i>	<i>Place</i>	<i>Date</i>
Shelburne Falls Academy	Shelburne	1847
Westminister Academy	Westminister	1847
Lancaster Academy	Lancaster	1847
Hinsdale Academy	Hinsdale	1848
Worcester Academy	Worcester	1848
Maplewood Academy	Pittsfield	1849
Quaboag Academy	Warren	1850
Punchard Free School	Andover	1851
Lasell Seminary of Young Women	Auburndale	1851
Oread Academy	Worcester	1851
Hollis Institute	South Braintree	1851
Mount Hollis Academy	Holliston	1852
Howe's Academy	Billerica	1852
Myricksville Academy	Taunton	1853
Conway Academy	Conway	1853
Ladies Collegiate Institute	Amherst	1854
Rutland Academy	Rutland	1854
Riverside Academy	Newton	1854
Jubilee Hill Academy	Pittsfield	1855
English and Classical School	West Newton	1855
Titicut Academy	Middleborough	1856
South Berkshire Institute	New Middleborough	1856
Waltham New Church School	Waltham	1857
Power's Institute	Bernardston	1857
Arms Academy	Shelburne Falls	1860
Pratt Free Academy	Middleborough	1865
Cushing Academy	Ashburnham	1865
St. Mark's School	Southborough	1865
Dean Academy	Franklin	1865
Prospect Hill Female Academy	Greenfield	1868
Holyrood Academy	Lowell	1868
Amesbury and Salisbury Academy	Amesbury	1869
Wellesley Female Seminary	Wellesley	1870
Smith Academy	Hatfield	1871
Sawin Academy	Sherborn	1871
Thayer Academy	Braintree	1873
Chauncy Hall	Boston	1874
Deerfield Academy and Dickinson High School	Deerfield	1875

In some cases money appropriations were made to academies, in response to the repeated requests. The academies fought a losing fight with the Normal Schools and high

schools. But the report of the legislative committee in 1840 in favor of the abolition of Normal Schools because academies and high schools trained teachers without expense to the Commonwealth, shows that responsible officials still wished to see them continue as an integral part of the educational arrangements.²

The development of the School Fund encouraged academies to ask a share of it. In 1848 Wesleyan Academy asked \$25,000, claiming to be a Methodist institution of catholic spirit and admitting all, and asserting that as the Methodists had no college they should have aid for this secondary school. The legislative committee refused to recognize a sect or denomination in politics, and said that while Harvard was Unitarian, grants to it were in behalf of general academic education in the state, not in behalf of Unitarianism. The creation of the Board of Education and Normal Schools had changed the state policy, and appropriations to academies were no longer to be expected.³ The legislature, however, amended a reported bill for an addition to the number of trustees so as to give Wesleyan one half of the proceeds of the first township sold after September 1, 1848, which otherwise would have gone to the School Fund.⁴

Another academy which persistently applied was the New Salem Academy. Incorporated in 1795 and later granted one half of a township from which it received \$5,000, it had a successful history until its buildings were destroyed in 1837. Its religious education was definite, for in 1840 it was using *Evidences of Christianity* and Wayland's *Moral Science* as texts, it scheduled a Bible recitation every Monday morning on the miracles, parables, discourses of Christ, and the Commandments. Sacred music was taught twice weekly.⁵ The committee reported that this institution, as also the Townsend West Village Female Seminary and Egremont Academy, were worthy of support if such special

² *H. Doc.*, 49, 1840.

³ *H. Doc.*, 114, 1848.

⁴ *Acts*, 1848, chap. 244.

⁵ *Catalogue*, 1840, p. 8.

grants were to be continued. But the requests were refused in favor of the newer policy of "a just and all embracing scheme of patronage of institutions of education."⁶ This shows conclusively that it was a democratic and not religious issue which refused grants to academies. The following year, 1852, New Salem returned in company with Quaboag, Pierce, and Egremont. The committee report referred to the great services the academies had performed in training many for service in church and state, but said that for many years they had been practically excluded from the patronage of the state. It postponed the issue by asking the Secretary of the Board of Education to investigate the needs of the academies and report to the next legislature.⁷ No reports on the subject were presented the next year.⁸ The anesthesia apparently worked well.

When the sectarian amendment relating to common schools was under consideration, the academy viewpoint was undoubtedly well expressed by Rev. Miner Raymond, Methodist principal of Wesleyan Academy, in the *Election Sermon* before the General Court on January 4, 1854. His text was: "Blessed is the nation whose God is the Lord." He indicated that family, school, state, and church had each their separate sphere of action and mode of operation; but that they were mutually dependent and all aiming at the happiness of the people. The legislature should do all that was constitutionally possible to promote morals and protect religion. A Christian legislature should foster the interests of education, while an atheistical education was an enormity. Because of the difficulty of introducing religious instruction into state supported schools, he approved the middle course which had been adopted in the main in the state. He would have the primary and high schools state institutions with the religious instruction at home; but academies, colleges, and higher seminaries should be under religious supervision and controlled by sects, because the

⁶ *Sen. Doc.* 85, 1850. ⁷ *H. Doc.*, 167, 1851. ⁸ *H. Docs.*, 1852.

students were away from home. The "so-called state university" should cease to be such and the state extend patronage to all. Teachers should have a marked religious character; and as it was hard to get this in unsectarian schools, it would be better to let the colleges and academies train the teachers and give them the funds now devoted to Normal Schools.⁹

When Wesleyan petitioned for aid in 1858 after two boarding houses had burned, a more careful system of state finance prevented an appropriation. The joint committee on education had recommended a resolve for \$5,000 from the School Fund for four years, because the institution catered to those not using the elementary schools in youth, who "through the beneficent social influences under which they are brought in later youth, or by the more radical regenerating power of divine grace, awake to their inferiority, before it is too late to mend."¹⁰ But when the resolve was referred to the finance committee, it was refused because all the income of the School Fund was required for purposes authorized by law, and because it was a continuing appropriation. If paid, it should be from the proceeds of taxation, and the propriety of this was questioned.¹¹

But in the following year it chanced that the treasury was overflowing from the proceeds of improvements in the Back Bay of Boston and the colleges were getting a proportion of the expected moiety from the sale of land granted to them. Wesleyan applied with them and the committee reported that it was the only Methodist academy in Massachusetts; that there were 100,000 worshippers in Methodist churches in the state; that while the institution was Methodist it did not propagate sectarian views, two thirds of the pupils were of other denominations, and were allowed to attend either of the churches in Wilbraham; that it trained teachers for the public schools; and that because of two disastrous fires a bill was reported for aid.¹² Subsequently a

⁹ *Election Sermon*, *H. Docs.*, 1854.

¹⁰ *H. Doc.* 76, 1858.

¹¹ *H. Doc.*, 155, 1858.

¹² *Sen. Doc.* 83, 1859.

second bill was reported giving six per cent of the proceeds of the Back Bay land sale, and this one became law.¹³ To enable them to rebuild, the legislature the next year advanced \$22,000, to be repaid with interest as the Back Bay money accrued, provided the academy get subscriptions for \$30,000.¹⁴

In 1860 an unsuccessful attempt was made to secure a continuing appropriation of \$5,000 for the Ladies Collegiate Institute, "to encourage collegiate education for females."¹⁵ In the following year Monson Academy, Merrimack Academy at Groveland, the Ladies Collegiate Institute, and the New England Female Medical College were all refused because it would be contrary to accepted policy, the lands in Maine were devoted to the School Fund, the Back Bay lands were pledged, and there was no precedent to take it directly from the treasury.¹⁶

The religious aim, atmosphere, and content of Mt. Holyoke Seminary has been previously explained.¹⁷ In 1867-68 the study of the Bible was distributed throughout the four years of the course, and in addition such kindred subjects as Ecclesiastical History, Natural Theology, Moral Science, Evidences of Christianity, and Butler's *Analogy* were in the curriculum. The Sabbath was considered the most important day of all and the young ladies were not permitted to make or receive calls.¹⁸ The institution was now approaching college grade, but had never received any aid from the state. In 1864 a committee reported an appropriation of \$25,000 "when a surplus shall accrue from the moiety of the income from the sales of the Back Bay lands," to enable it to rebuild and enlarge. The report stated the institution was decidedly religious, but there were no religious tests for admission and no discriminations because of the religious

¹³ *Sen. Doc.* 104, 1859; *Acts*, 1859, chap. 154.

¹⁴ *H. Doc.* 136, 1860; *Resolves*, 1860, chap. 45.

¹⁵ *Sen. Doc.* 109, 1860.

¹⁶ *H. Doc.* 220, 1861.

¹⁷ *Supra*, p. 176.

¹⁸ *Catalogue*, 1867-68, pp. 18-23.

faith of the students. On the basis of its principles, aims, and record of usefulness, it was deserving of aid.¹⁹ While this resolve failed, in 1868 it was allowed \$40,000 for a library, heating apparatus, and needed repairs.²⁰

In 1869 Bradford Academy, which had been since 1836 exclusively for women, was building to the extent of \$100,000 and had raised by subscription half the amount. The remainder they asked from the state.²¹ Its curriculum after that date included practically the same religious content as Mt. Holyoke.²² Although a resolve for \$25,000 was reported on the supposition that it would become a college and should have equal treatment with the institutions for men, the legislature only authorized it to increase the amount of its real and personal estate.²³

The last two state appropriations for academies were \$5,000 to the Dukes County Academy in 1871 and \$10,000 to the New Salem Academy in 1869.²⁴ Since the two which had received the most aid in the later period were exceptionally religious institutions, Wesleyan and Mt. Holyoke; and since refusals were in no cases made on the ground that the petitioners were engaged in religious education, it is very clear that the state was not opposed to supporting this type of religious education.

Many of the academies were, of course, still receiving some aid from land grants of a much earlier period, if they had devoted them to buildings or permanent funds. Besides, all received the equivalent of state support in tax exemptions, according to the law which exempted the personal property of all literary, benevolent, charitable, and scientific institutions incorporated in Massachusetts and the real estate actually used for the purpose, if no profit was divided.

¹⁹ *Sen. Doc.* 181, 1864.

²⁰ *Sen. Doc.* 136, 1868; *Resolves*, 1868, chap. 39.

²¹ *Sen. Doc.* 78, 1869.

²² *Annual Report of the Bd. of Ed.*, 1875-1876, Appendix, pp. 262, 263.

²³ *H. Doc.* 375, 1869; *Acts*, 1869, chap. 329.

²⁴ *Appropriations for Sectarian and Private Purposes*, pp. 60-77.

All houses of worship were likewise exempted.²⁵ Under this law Wesleyan Academy successfully protested assessment on its farm, part of which was used to supply the boarding table and part of which was waste.²⁶

Because of the endowments the state had some right to direct the administration of some of the academies, particularly because as time passed they frequently became related to the towns in such a way that they served as the town high school required by law. A case in point occurred at Groton in 1859, when the trustees of Lawrence Academy suspended eight pupils for attending a dancing school out of school hours and while living with their parents. An appeal was made to the legislature, and a committee reported on the status of academies. It was considered that the act of 1797 made academies in a sense public schools, and a part of the universal system of public education. For 35 years the people of Groton through the town had paid \$40 annually to Groton Academy for the shares which they had assumed as original founders. Therefore the committee reported that the people of Groton and the Commonwealth had rights in the academy, since renamed Lawrence Academy, and that no state or town endowed academies were private schools. On this basis an act was reported restricting the power of such academies to make rules, but it did not pass.²⁷

After 1850 high schools rapidly supplanted academies and many of the latter were made over into public high schools. An example of this is the legislative authorization in 1851 to the trustees of Framingham Academy to convey their property to the town, on condition that a high school be maintained forever.²⁸ After 1840 the Eliot School served as a high school connected with the Roxbury school system.²⁹ Arms Academy was incorporated in 1860, and the towns of

²⁵ R. S., chap. 7, sec. 5; *Acts*, 1857, chap. 56; *Acts*, 1874, chap. 375.

²⁶ *Trustees of Wesleyan Academy v. Inhabitants of Wilbraham*, 1868.

²⁷ *H. Doc.* 261, 1859.

²⁸ Grizzell, pp. 137-140, 274.

²⁹ *40th Annual Report of the Bd. of Ed.*, 1875-1876, Appendix, p. 219.

Buckland and Shelburne in lieu of maintaining high schools were permitted to contribute \$2,500 each to the funds left by the will of Ira Arms.³⁰ In 1865 the trustees of Marblehead Academy were permitted to allow the town to use its buildings and the income of its funds.³¹ The town of Andover was authorized in 1869 to raise \$25,000 for a new building for the Punchard Free School, to contribute annually to it, to choose a majority of the trustees, to have general charge and superintendence, and to recommend pupils for admission.³² The will of Benjamin H. Punchard had bequeathed funds for a free school for the youths of Andover, with no sectarian influence, but with daily use of the Bible and a provision that the pupils should join audibly with the teacher in the Lord's prayer each morning. This was substantially the legal status of religious education in the public schools. Eight trustees were to include the clergymen of an Episcopalian and two Congregational parishes and five others chosen by the town meeting from the membership of these parishes. An injunction was now sought to prevent the town from rebuilding as authorized by the legislature on the ground that it violated the sectarian school amendment. That had referred to common schools and had required them to be "under the order and superintendence of the authorities of the town" in order to avoid defining sectarian. The court held that the amendment did not apply to private schools, colleges, or academies under special charters and not intended for one territory. Public schools and common schools included the regular elementary, grammar, and high schools, for the general education of all the people. The court found that by the terms of the will the town could not be given control, but it was aimed to make it a public school. Therefore a perpetual injunction was granted because it violated the amendment.³³ It is interesting to note that the school was no more secta-

³⁰ *Acts, 1860, chap. 49, 50.*

³¹ *Acts, 1865, chap. 164.*

³² *Acts, 1869, chap. 396.*

³³ *Jenkins et. al. v. Inhabitants of Andover, et. al., 1869.*

rian than the public schools, and a straight prohibition of appropriations to sectarian schools would have permitted this arrangement. Hereafter there was serious difficulty in towns contributing to academies which they did not control, in lieu of establishing high schools.

From the bequest of Gov. Edward Hopkins, who died in 1657, leaving funds to New England "for the upholding and promoting of the kingdom of the Lord Jesus Christ in these parts of the earth" there were established schools, of which the Hopkins Schools of Cambridge became the classical department of the high school, and the Hopkins School of Hadley met in 1876 in a building owned by the town and was practically a high school. The latter was teaching Natural Theology.³⁴

By 1876 there were 212 high schools in comparison with 72 incorporated academies.³⁵ In many cases where there was an academy in a sparsely settled district it was not expedient to establish also a public high school, so that various expedients were tried to bring the academies under the order and superintendence of the town, without violating the original trust. This gave more trouble than the fact that the academies were sectarian. But where they were under public administration, of course sectarian books could not be used. In 1891 Monson, Lawrence, and Partridge academies, and probably others, were furnishing instruction to the town pupils at the expense of the towns and were in a sense public schools.³⁶

In 1894 laws were passed requiring towns to pay tuition, outside, of high school pupils, and in the following year a provision was made for the state to reimburse small towns for this expense, in cases where the town failed to maintain a high school.³⁷ This and the law allowing towns to

³⁴ *40th Annual Report of the Bd. of Ed.*, 1875-1876, Appendix, pp. 271, 272; Barnard, *Am. Journal of Ed.*, XXX, pp. 745-746.

³⁵ *40th Annual Report of the Bd. of Ed.*, Abstract, p. LIX.

³⁶ *55th Annual Report of the Bd. of Ed.*, 1890-1891, p. 300.

³⁷ *Acts*, 1894, chap. 436, sec. 1; *Acts*, 1895, chap. 212.

pay tuition of pupils in academies where these took the place of town high schools, made it necessary for the Board of Education to approve academies which might receive such tuition. In 1895 approval was given to Arms, Cushing, Hopkins, Leicester, Monson, Nichols, and Westford academies and to Powers Institute of Bernardston.³⁸ But in the following year an opinion of the Attorney-General held the law permitting payment of tuition unconstitutional, as violating Article XVIII, the non-sectarian amendment. Whether sectarian or not, an academy not in the control of the municipality could not serve as a high school, which was a part of the system of public schools.³⁹ But in 1897 he decided that the Powers Institute was a public high school within the meaning of the statute, since the original grant had been accepted by the town, and all the trustees were chosen by the inhabitants of the town.⁴⁰ There was no court decision, and in the absence of this some towns probably continued to violate the law. In the next *Report* the Secretary of the Board of Education presented the following list of academies under the order and superintendence of the town or city; or else serving without appropriations by the town: Punchard Free School; Cushing Academy; Sanderson Academy; Powers Institute; Howe's Academy; Barker Free School; Hitchcock Free School; Deerfield Academy and Dickinson High School; Nichols Academy; Partridge Academy; Hopkins Academy; Manning School; Leicester Academy; Tabor Academy; Pratt Free School; Monson Academy; Dummer Academy; Newbury High School and Putnam Free School; New Salem High School and Academy; Sawin Academy and Dowse High School; Arms Academy; Howard Seminary and West Bridgewater High School; Westfield High School (formerly Academy); Westford Academy; Murdock School.⁴¹ Many

³⁸ *59th Annual Report of the Bd. of Ed.*, 1894-1895, p. 136.

³⁹ *60th Annual Report of the Bd. of Ed.*, 1895-1896, pp. 147-150.

⁴⁰ *Report of the Atty.-Gen., Yr. ending Jan. 19, 1898*, p. 27.

⁴¹ *62nd Annual Report of the Bd. of Ed.*, 1897-1898, pp. 104-112.

of these were originally of a denominational character, but the sectarian question was not involved, because they were not giving instruction that would violate the law, and the public schools could give non-sectarian religious instruction. The difficulty was only an indirect effect of an indirect method of prohibiting funds to sectarian institutions.

In the case of colleges there was likewise a tendency to separate the state from all but strictly state institutions, both in control and finance. We shall notice first the movement which placed Harvard entirely separate from the state government.

In 1840 Pres. Quincy wrote that the status of Harvard was not materially affected by religious sects or political parties. He was not entirely a true prophet. He believed there was a general acknowledgment that true happiness was derived from the culture of the intellectual nature in connection with the moral and religious. He insisted that the bounty of the state should go to the greater seminaries as well as to the elementary schools. Of the former only a few were advisable, lest there be a scramble among local literary and religious factions. He hoped Harvard would always be devoted to piety and the knowledge of Godliness, to "Christ and Truth."⁴²

But within the decade it developed that not all sects and parties were agreed that Harvard was devoted to the propagation of a democratic, unsectarian type of education. In 1843 a union of Democratic and Calvinistic votes won the state election, and George Bancroft became a member of the Board of Overseers and subsequently three Calvinists were chosen to the clerical and lay elective seats.⁴³ In the state election two years later this same issue came to the front. Early in the spring the Baptist and orthodox Congregational periodicals began to agitate for a change from Unitarian control through the fall election.⁴⁴ The object

⁴² Quincy, II, pp. 442-458.

⁴³ *The Christian Watchman*, July 4, 1845, p. 106.

⁴⁴ *Ibid.*, Mar. 7, 1845.

was to make the college more adapted to the middle class of the whole state, rather than to wealthy Bostonians and students on charity funds; and to do away with denominational distinctions in the Board of Overseers, Corporation, and faculty.⁴⁵ On February 6, 1845, George Bancroft had presented a minority report of the committee of Visitation to the Board of Overseers, charging that there were few students because of the sectarianism and expense; and this served as the basis for the campaign to keep the college from "exerting influences adverse to morality and true religion."⁴⁶ It was contended that it was wrong for any one sect to control, unless that sect constituted a decided majority of the electors of the state.⁴⁷ This from a Baptist paper appears to put the argument on a democratic rather than religious basis. But the real Baptist purpose was to free it from sectarianism, whereas from 1810 to 1843, 14 out of 15 vacancies in the Board of Overseers had been filled by the election of Unitarians. Said the Baptist organ:

"We want no sect there, whatever. We want to see it a seat of pure, elevated, liberal learning. We want to see its Overseers, its Fellows, its Faculty, from President to Monitors, chosen without regard to religious sect. This is what we ask; it is what the people of the Commonwealth ask; it is what the interests of learning and religion ask."⁴⁸

At this time the Corporation was composed exclusively of seven Unitarians; of the elective members of the Board of Overseers, there were 22 Unitarians, four orthodox Congregationalists, two Episcopalians, and one Universalist. It was suggested that the legislature might demand that the Fellows be divided among all denominations.⁴⁹ The fact that a new President was to be elected, gave an opportunity

⁴⁵ *Ibid.*, Apr. 18, 1845, p. 62.

⁴⁶ *Ibid.*, June 20, 1845, p. 98.

⁴⁷ *Ibid.*, July 11, 1845, p. 110.

⁴⁸ *Ibid.*, Aug. 1, 1845, p. 122.

⁴⁹ *Ibid.*, Oct. 24, 1845.

in the fall election to choose state officials who as ex-officio members of the Board of Overseers could veto a Corporation choice which seemed to favor unduly the Unitarians.⁵⁰

The Unitarians naturally opposed this plan and counted on the Universalists to help them. They found against them in addition to the Baptist *Watchman*, the orthodox Congregational *Recorder* and the Puritan, the Methodist *Zion's Herald*, and the Episcopalian *Witness*. But the others did not agree with the Baptist view, for they would probably have desired an orthodox sectarianism rather than to ignore the matter of sect.⁵¹ Because of this the *Register* invited the Baptist ministers and laymen "to a full participation in the control of Harvard College," provided they would not aid in driving the Unitarians out.⁵² When the Divinity School graduated 13 theologues, the *Recorder* said they had been educated by the state for the propagation of Unitarian Christianity; the *Register* retorted that they were bound to no creed and asked how much the state had contributed.⁵³ In fact the state relation to the Divinity School was a vague supervisory authority and not financial. The *Register* believed that the Baptists would be willing to join the Congregationalists, Unitarians, Episcopalians, Methodists, Universalists, and Roman Catholics in the administration of the college, but doubted whether the Congregationalists would agree to this.⁵⁴

While nominations to the Senate in the county conventions showed little success in the attempt to wrest control of Harvard from the Unitarians,⁵⁵ it did have Democratic party support and at Deerfield the friends of Harvard organized an independent party to nominate Senators.⁵⁶ The

⁵⁰ *The Christian Register*, June 28, 1845, p. 102.

⁵¹ *Ibid.*, Apr. 5, May 24, July 12, 1845.

⁵² *Ibid.*, July 26, 1845, p. 118.

⁵³ *Ibid.*, Aug. 2, 1845, p. 122.

⁵⁴ *Ibid.*, Aug. 16, 1845, p. 130.

⁵⁵ *Ibid.*, Oct. 18, 1845.

⁵⁶ *Ibid.*, Nov. 8, 1845, p. 178

result of the election was a failure for the movement and it was claimed the Democrats lost more than they gained.⁵⁷

When the new Board of Overseers met a report was read by Chief Justice Shaw opposing a separation of the Divinity School from the university, and in favor of continuing chapel worship on Sunday.⁵⁸ The subsequent election of ex-Governor Edward Everett to the presidency won universal acclaim.⁵⁹ After this the *Register* complained that there was too little of the spirit of Christ in the university and that the attempt to exclude sectarianism had resulted in excluding Christianity more than was proper in an educational institution among a Christian people.⁶⁰ In concluding the controversy, this Unitarian organ claimed it was not sectarian; that four-fifths of the funds had been given by liberals who sympathized with the present control; that if the orthodox could gain control here the liberals could do the same in Dartmouth, Yale, or Bowdoin; that it would be disastrous to mix politics and religion by dividing the officers among various religious sects; and that if sectarianism was objected to at Harvard, why did it exist at Williams and Amherst.⁶¹

Defeated in the attempt to oust Unitarianism through a definite state control, the idea of separating Harvard from the state began to be broached in orthodox circles.⁶² And rather than lose control the Unitarians were willing to give up the claim to its being preëminently the state university.⁶³ In 1849 an exhaustive study of the powers of the legislature over Harvard was made by a legislative committee. It reported at that time that no law could be made for Harvard, or vacancy filled, without the consent of the Overseers, a majority of whom were annually chosen by the

⁵⁷ *Ibid.*, Nov. 15, 1845; Jan. 31, 1846.

⁵⁸ *Ibid.*, Jan. 31, 1846, p. 19.

⁵⁹ *Ibid.*, May 23, 1846, p. 82.

⁶⁰ *Ibid.*, Sept. 5, 1846; Sept. 12, 1846.

⁶¹ *Ibid.*, Apr. 11, 1846.

⁶² *Ibid.*, Apr. 11, 1846.

⁶³ *Ibid.*, Jan. 31, 1846; Mar. 6, 1847.

electorate; but it made no specific recommendations other than to say that some changes were needed "to render its admirable resources for instruction in knowledge and godliness more beneficial to all the people."⁶⁴ At this time the senior class was still studying Butler's *Analogy* and Paley's *Evidences of Christianity*, and there was compulsory attendance at daily morning and evening prayers and at Sabbath worship.⁶⁵

In 1850 majority and minority reports were brought in as to the proper method of making it more beneficial to the people. The majority report admitted the consent of the Corporation was necessary to any change, but claimed that the fact this body was a close corporation inevitably led to the perpetuity of a fixed set of opinions in education and religion, seldom coincident with the majority opinion. Harvard should be controlled by all the people of the state. It would secure this, prevent the control of any one sect or denomination, and provide "security for instruction in literature and good morals, corresponding to the judgment and principles of the people of the state" by increasing the Corporation from seven to fifteen, with the majority chosen by the legislature. The minority doubted the constitutionality of the action, thought it would bring in partisan politics, and was inexpedient.⁶⁶ The next year Harvard presented a memorial opposing it on the grounds of unconstitutionality as a violation of the charter and of creating an unwieldy board.⁶⁷ While the proposed change was not made, the legislature did that year provide, if the college agreed, to change the Board of Overseers by eliminating the Senate and Council as members, and adding to the ex-officio members 30 persons, irrespective of religious qualifications, to be elected by the legislature.⁶⁸

When the constitutional convention met in 1853, a variety of proposals were brought forward relative to Har-

⁶⁴ *Sen. Doc.* 158, 1849.

⁶⁷ *H. Doc.* 10, 1851.

⁶⁵ *Catalogue*, 1852-1853, pp. 43-46, 52.

⁶⁸ *Acts*, 1851, chap. 224.

⁶⁶ *H. Doc.* 164, 1850.

vard; among them were suggestions of a corporation of seven elected by the legislature, with no religious sect in a majority; a board of overseers constituted according to the proposal of the convention of 1820; the removal of all references to Harvard in the constitution; choice of the trustees of all colleges by the legislature, with no religious denomination or political party holding a majority in any; the separation of all colleges from direct connection with the state; or the inclusion of all in a system of public instruction with a general tax for expenses beyond endowments and free tuition to residents of Massachusetts.⁶⁹ The purpose back of all these appears to be more democratic than religious, but it was plainly desired to prevent control by one sect of an institution occupying a privileged position in the constitution of the state. A statement from the treasurer was secured showing that individuals had contributed to Harvard \$750,000 and the state \$215,797.73, exclusive of the annuities from the bridges over the Charles River.⁷⁰ But it was maintained by the state that it, not John Harvard, was the founder and it had never parted with its rights.

The committee was unfriendly to the present control of the college and claimed the Dartmouth decision did not apply equally here and anyway that the Supreme Court as then constituted might rule differently.⁷¹ It reported a meaningless amendment which, it admitted, merely made express what was then implied or inferential, to the effect that the legislature might alter the charter provided it did not impair the obligation of contract.⁷² This power it already had. By this means it was proposed to prevent it from educating in particular principles or tenets and to take its control from one party and from a sect not including one tenth of the people of the state, and then by "future

⁶⁹ *Documents, Constitutional Convention, 1853*, No. 41, pp. 20-21.

⁷⁰ *Ibid.*, No. 112.

⁷¹ *Debates and Proceedings*, III, pp. 27-35.

⁷² *Documents, Constitutional Convention, 1853*, No. 72.

constitutional legislation, to place the college in full contact with the beating pulse of the great heart of the Commonwealth."⁷³ This convention, it must be recalled, was controlled by a Democratic-Free Soil coalition, aided by Calvinistic elements of the interior. The ineffective proposal looks like an attempt to play politics, and would undoubtedly have been far more radical if there had not been a real fear that any change without the consent of the Corporation would not be upheld by the courts. In the debate ex-Governor Briggs said he preferred to cut the college adrift, but that was difficult and this merely conferred on the legislature all the power possessed by the people of Massachusetts. Harvard did not oppose, because there was no change worth opposing. Several ineffective proposals to put all the colleges on the same basis were defeated. The amendment was then passed by the convention 121-28.⁷⁴ But the proposal was defeated along with the rest of the work of the convention.⁷⁵

Meantime it was becoming apparent that the state would never be able to secure a real control and when the idea of a legal dissolution was suggested to the Corporation, it was found ready to consent. A special committee in 1854 conferred with Harvard, Williams, and Amherst and it was found that all favored the dissolution. Hence it was recommended that the state officers be withdrawn and that the alumni be empowered to choose the overseers and that the special relation to Amherst in the choice of trustees be dissolved. It was proposed to give no more public money, but to give free scholarships on an equal footing in all colleges, and to appoint a board of examiners to inspect the colleges and raise the standard. The colleges were also to raise funds to provide free scholarships irrespective of political or religious views of the students. The minority report opposed the surrender of trusteeship by the state. This report was

⁷³ *Debates and Proceedings*, III, p. 35.

⁷⁴ *Ibid.*, pp. 36-49, 75-79, 247-264.

⁷⁵ *H. Doc.* 5, 1854.

as unfavorable to Unitarian control as the other, however; but it believed that the time had come when scientific attainment, learning, and religion, not denomination, would be the criteria for selection to the Corporation, and it, like the Overseers, would cease to be Unitarian. A specific objection was made to the choice of overseers by the alumni, because it would turn the college over entirely to the Unitarians, to spread what the founders deemed heresy. It would keep all colleges under state control.⁷⁶ The result was that legislation was postponed for the time being.

Next an unsuccessful attempt to separate the Divinity School from the administration of the university was made, so that other sects might not complain that the state was propagating Unitarianism. The Corporation with the consent of the Overseers was authorized to resign its trusts and the Supreme Judicial Court to appoint "The Society for the Promotion of Theological Education" as trustees of the funds and property, in accordance with the will of the donors.⁷⁷ But this society would not permit the separation, because "it would be false to all our traditions, if in a college named for a Puritan minister, fostered by a Puritan clergy, and bearing on its corporate seal the motto *Christo et Ecclesiae* religion should be the only subject deliberately excluded."⁷⁸

The state supervision was finally terminated in 1865, when the university assented to an act withdrawing the ex-officio state officers from the Board of Overseers, and vesting in the alumni the power to choose the Board.⁷⁹ It was due to the failure of the democratic desire to put the colleges on a parity and make them responsible to the electorate, and to the desire of the orthodox to prevent the spreading of Unitarianism. Harvard preferred to continue to teach Unitarianism and be free from state interference.

⁷⁶ *Sen. Doc.* 134, 1854.

⁷⁷ *Acts*, 1858, chap. 176.

⁷⁸ *40th Annual Report of the Bd. of Ed.* 1875-76, Appendix, p. 56.

⁷⁹ *Acts*, 1865, chap. 173.

But the change was not conclusive evidence that the state would not promote sectarian religious teaching in colleges, as will appear when the subject of appropriations is considered.

A more critical test of the relation of the state to colleges teaching a sectarian religion came when the College of the Holy Cross, a Roman Catholic institution, applied for a charter in 1849. Bishop Fenwick had founded and owned the institution, and had deeded it to the trustees of Georgetown College, chartered in the District of Columbia. Because of his unfortunate experience when the Ursuline Convent at Charlestown admitted Protestant pupils, he had made the college exclusively Catholic. He had also reserved to the Bishop of Boston the right to educate one student in 50 free. The college emphasized moral and natural philosophy, mathematics, poetry, and ancient and modern languages. The theological class was really not part of the college. The discipline was strongly religious, most of the teachers were Jesuits, and all students were required to conform to Catholic teachings and ceremonies. There were daily religious exercises, including mass, and evening prayers. Attendance at confessional was required. The college had been in operation five years and sought incorporation to enlarge its work and facilitate business matters.⁸⁰

The joint standing committee on education contained a majority in opposition to the charter and they so reported without giving reasons. After recommitment a lengthy argument in opposition was presented.⁸¹ The report showed a lingering conception of a college as necessarily public according to the English idea, regardless of the source of support; and because of this it believed that all colleges must be equally open to all persons in the Commonwealth who had the intellectual qualifications to attend; it could

⁸⁰ *H. Doc. 130, 1849; Brownson's Quarterly Review*, new ser., XI, pp. 381-383.

⁸¹ *Brownson's Quarterly Review*, new ser., XI, p. 372.

not conceive of a private college, with no other relation to the state than any corporation receiving a charter for business purposes. A charter might be similar to that of Amherst, prohibiting religious tests of students or instructors. Of Amherst the committee said, showing its conception of the proper relation of the state to religious education in colleges:

"It was incorporated, like all other literary institutions, for the intellectual culture of our youth, together with such social, moral, and religious training, as might be preferred by its patrons, without interfering with its character as a public institution, open to the use of all sects alike, without hindrance or offence."⁸²

Holy Cross refused a charter with a religious test prohibition such as Amherst had, but was willing to accept a charter like that of Williams, which made no mention of religious tests.⁸³ The committee believed this would make it a private, exclusive college for the education of children of one denomination, and that Massachusetts had never recognized such a principle. The petitioners were not satisfied with the toleration granted to all sects, but wished a special favor for their own sect. The whole policy of the state was asserted to be to allow "papists," Jews, or any others to attend any of the public colleges without having to conform to anything violating any rights of conscience; no exception could be made in this case. If incorporated it would necessarily imply that appropriations would have to be made, and this would then be claimed by all denominations and prove destructive of the whole educational system. The legislature had no right to grant any charter unless there would clearly be a public benefit arising therefrom. Special privileges for sectarian education were contrary to the principles and policy of the state, which nevertheless *tolerated and protected* all the institutions established by sectarian influence. A charter for a college of the

⁸² *H. Doc.* 130, 1849.

⁸³ *Brownson's Quarterly Review*, new ser., XI, p. 372.

usual type would be recommended, except that there was not time to determine whether it was really of college grade and whether a fourth institution, to be fostered and encouraged by the state, was needed.⁸⁴

The minority report of three members of the committee of seven showed that the founders of all the colleges had belonged to some sect but had professed a public purpose and they had been chartered by the state because open to all. Amherst did not object to the prohibition of a religious test because that was a principle of Protestantism; but the situation with the College of the Holy Cross was different. No provision for a religious test prohibition had been made in the case of Williams, because it was not as yet an issue. The College of the Holy Cross would accept a similar charter and disavowed all expectation of grants. The minority would solve the problem by granting incorporation not as a regular college, but as "a seminary of learning . . . , by the name and title of a college, as a private institution, . . . designed to promote the convenience and benefit of a particular sect." As precedents they cited the Newton Theological Institution, the Andover Theological Institution, and Wesleyan Academy, all of which were for the benefit of a particular denomination and had no requirements for religious liberty. The report further called attention that 120,000 Catholics, one seventh of the state population, were in an embarrassing educational position and that policy, wisdom, philanthropy, and religion dictated the necessity of conciliation and the removal of barriers. A bill to accomplish the above purposes was reported. It was to be a private corporation until it accepted the Amherst religious test prohibition and have no other claims on the Commonwealth, while the latter had the right of visitation and investigation.⁸⁵

A motion was made in the House to substitute the above bill for the committee report, under the leadership of Charles W. Upham of Salem, who had signed the minority report.

⁸⁴ *H. Doc.* 130, 1849.

⁸⁵ *Ibid.*

The chief advocate for the petitioners was Mr. Healy of Boston, but unfortunately his speech has not been preserved in correct form. The debate lasted two days and was closed by an extensive speech by Mr. Hopkins of Northampton, a clergyman educated at Andover Theological Seminary, who, as chairman of the committee majority, opposed the substitution.⁸⁶

His speech reiterated many of the principles of the report, but also disclosed more of the real opposition to any state promotion of Roman Catholicism in particular. He withdrew the word "toleration," used in the report, and said they might have "the full and equal protection of our laws." He objected to giving children of eight years of age to teachers who were celibates, and to a censorship involved in the use of the Douay version only, and said if a fourth college were conceded to be necessary by its authorization, the state would be "fairly holden to encourage, sustain, and aid it." But the main argument concerned the exclusiveness of the institution, and he appeared to argue for the principle that all religious education should be public in the sense of being sanctioned by the state and open to all. The consequences of this doctrine for Christianity where the state was opposed to Christianity would be enormous, or even in a state opposed to Protestant Christianity. Mr. Hopkins pointed out that at Andover there was only a provision for subscribing to a belief in the Christian religion, and that there was a legal prohibition of excluding from a degree or the privileges of the institution because of a different interpretation of the Scriptures. In a footnote in his privately published speech, he added what he refrained from saying in the debate, the people desired to give special privileges to Catholics because they were a large part of the population and had votes. This indicates the undercurrent of feeling. Referring to sectarianism in public colleges, he expressed well the illogical principle on which

⁸⁶ *Speeches of Mr. Hopkins, April 24th and 25th, 1849* (Northampton, 1849), p. 13; *Brownson's Qr. Rev.*, new ser., XI, pp. 372-376.

Massachusetts acted at a time when sectarian instruction in public schools was considered contrary to the spirit of the law:

“ I deny, that in any odious sense, in any sense prejudicial to the public weal — are our colleges sectarian. True, sir, there must be some religion connected with them. . . . There never yet was found a community who did not deem the mingling of religious and intellectual culture absolutely necessary and unavoidable. . . . Religion, therefore, in connection with our colleges must have some type. . . . I contend, sir, that religion may, and must, thus exist in our colleges, and yet no one of them be subject to the charge of sectarianism. But when this type is made the inexorable rule of the institution, and an attendance on the various religious exercises, regardless of the consciences of the youth, or of their guardians (required) . . . then it becomes sectarian and exclusive. Religion, from being the incident of the college, becomes its great end and aim. . . . I have yet to learn, sir, that teaching religion is any part of the business of our colleges — that Protestantism, or any other ism is any part of their design. If intellectual culture tends to Protestantism; if free inquiry is Protestantism, then they are Protestant.”

He made no objection to private institutions for religion, but believed the state must not “ found, sanction, or honor them.” He feared that if this were granted, the state would have to support separate elementary schools for Catholics later. He disclaimed objection on the ground the petitioners were Catholics or Jesuits, but in a speech the next day answering his opponents, he said they would develop sectarians “ to control the religious faith and conduct of the more ignorant masses,” and asserted the purpose was not moral and good, because the Jesuits gave inflexible obedience to the Vicar-General, essentially a papal power and a tyranny. The Roman Catholic religion made men slaves of the hierarchy, which held the keys of Heaven and Hell. He did not say they ought not to be fostered, but raised the ques-

tion. The college could incorporate under the constitution as a religious institution, or as an educational institution, but not as a hybrid.

Apparently the majority agreed with the above principles, for the motion to substitute was lost 84-117, and the college continued without a charter for nearly a score of years.⁸⁷

The Catholic attitude was expressed in *Brownson's Quarterly*. This periodical denied that exclusive favors or unusual powers were asked, stating the charter would only facilitate business matters in doing what they had done for five years. It properly drew the line between a state endowment of a literary institution for the particular benefit of a particular religious denomination, and a privately supported institution. It believed that in the former case the state had a right to say that no public funds should be used; if this was not asked, it had no right to say what type of religion should be taught or to whom. In a public institution like Amherst, which by this time had secured state aid, the state had a right to insist on religious freedom. Whether their religion was good or bad, true or false, was a private and not a government matter. It pointed out the insincerity of the argument that the college was not open to all by asking if the objectors really wanted their sons educated by Jesuits. It maintained that Williams, Newton Theological Institution, Wesleyan, and Andover were not denied exclusiveness. Legally this was true, but it was also true that in fact there was no exclusiveness at those institutions while at the College of the Holy Cross there was. But it was also true that in theological seminaries men of widely varying faiths had no desire to attend the seminary of a rival faith. It was maintained that the legislature had no right to give or take away the right to teach religion or compel the conformity of students to it. Massachusetts had always permitted private education, and respected the rights of parents and guardians. A charter did not sanction the religion, discipline, or worship, or make it a part of

⁸⁷ *Speeches of Mr. Hopkins.*

the public system of education, and did not add to the power to teach.

Referring to the matter of the common schools this Catholic periodical made a statement concurring with the ideas of Horace Mann and in direct opposition to later Catholic claims that the common schools were irreligious and that because education was a unity, the religious education must accompany the secular. It said:

“Considering the variety of religious views in the state, and the fact that the state is bound to treat them all with equal respect, the relation of the public schools to religion must be negative, excluding what is peculiar to each denomination, and admitting only what is common to all. There is no justice in the complaints which we have heard from several quarters, that our common schools are not as positively religious as they should be. We are in favor, and decidedly in favor, of a system of common school education for all the children of the commonwealth, and we are not so unreasonable as to object to the only conditions on which such a system can be established and maintained.”

This argument was used to show the common schools would then have practically no religion, and above them denominational schools would be necessary for what was peculiar to each. The state had no right to deny the establishment of the latter, to be privately supported.⁸⁸ This statement was previous to the extensive establishment of parochial schools which started about 1850 and it is possible the lack of these created a desire to make the common schools less objectionable through positive Protestant doctrines. The statement would leave the way open to object to the use of the King James version of the Bible. It is an interesting speculation as to whether, if this Catholic platform had been strictly followed, a rival system of parochial schools would have been avoided and the Catholics would have continued to advocate a system of common schools for all.

⁸⁸ *Brownson's Quarterly Review*, new ser., XI, pp. 372-397.

Mr. Hopkins replied to this article and stated that he was opposed by all the political leaders of the House. He pointed out also that incorporation would give the right to grant degrees and that this honor was inseparably connected with the idea of a fully established and authorized college.⁸⁹

The fundamental reason why the charter was refused appears to have been the idea that the state in chartering a college assumed a responsibility for its teaching and for its support; that it would be expected to give incidentally a religious education, which the state should to some extent control, even though it might be denominational; and that at that time the majority of the legislators were not willing to give this sanction to Jesuit education.

The objection to a religious test, however, was more than a mere excuse. The first opportunity of applying the principle of prohibiting these in charters came when Tufts College applied in 1852. It owed its origin to the decision of a Universalist convention in New York to organize a college and theological seminary in Boston.⁹⁰ The trustees were given authority to determine the course of instruction; confer degrees except medicine; the income from property was to be used to promote virtue and piety, and learning, according to the will of the donors; no religious test for students or instructors was permitted; the legislature reserved the right to alter the charter and to appoint overseers; and the charter was not to be considered a pledge of pecuniary aid.⁹¹ Most of these provisions were found in all college charters subsequently granted. Under this charter the Tufts Divinity School was organized in 1867 and administered as a part of the college.⁹² In 1863 a second Catholic college, Boston College, applied and secured without question a charter similar to that granted Tufts,

⁸⁹ *Speeches of Mr. Hopkins*, pp. 2-12.

⁹⁰ *40th Annual Report of the Bd. of Ed.*, Appendix, 1875-76, pp. 72-76.

⁹¹ *Acts*, 1852, chap. 141.

⁹² *40th Annual Report of the Bd. of Ed.*, Appendix, 1875-76, p. 107.

the religious test, however, being prohibited only for students.⁹³ A religious test for the faculty was really unavoidable, as it was a Jesuit institution. At a later date it was considered a purpose of the institution to give a good foundation in the Catholic faith, and to that end Catholic students were required to attend mass daily, recite a daily catechetical lesson, attend weekly lectures on the doctrines of the church, attend the annual retreat, and confess once a month.⁹⁴

On the other hand, the Boston Theological Seminary⁹⁵ and the Episcopal Theological School at Cambridge⁹⁶ were soon incorporated without mention of the religious test. When the Methodist institution, Boston University, was incorporated in 1869, the prohibition of a religious test was applied to both instructors and students; but a specific exception was made, that it should not be applied to the Theological Department.⁹⁷ In 1871 the trustees of the Boston Theological Seminary, the largest in New England, were authorized to transfer their trust to the University and it became a part of the University.⁹⁸

The state bore a peculiar relation to the Massachusetts Agricultural College. It was a federal land grant college, the trustees were composed of state officers ex-officio and persons chosen by the legislature, the course of study was subject to the approval of the legislature, but the trustees had to secure \$75,000 before the land grant money was available.⁹⁹ Chartered in 1864, in the following year a loan was extended, to be repaid from the income of the land grant.¹⁰⁰ The first president was a clergyman, who mapped out the first course of study. He asked for a chapel, and

⁹³ *Sen. Doc.* 97, 1863; *Acts*, 1863, chap. 123.

⁹⁴ Bush, pp. 374, 375.

⁹⁵ *Acts*, 1865, chap. 167; 1868, chap. 3.

⁹⁶ *Acts*, 1867, chap. 333.

⁹⁷ *Acts*, 1869, chap. 322.

⁹⁸ *Special Laws*, 1871, chap. 151.

⁹⁹ *Acts*, 1863, chap. 220.

¹⁰⁰ *Acts*, 1864, chap. 223.

the creation of a "department of Political Economy, Intellectual Philosophy, and Christian Morals." Moral philosophy was included in the first published curriculum and in 1870 Rev. Henry W. Parker was elected as professor of mental, moral, and social science and college preacher. In 1868 a Christian Union was established.¹⁰¹ Thus this agricultural college closely related to the state by no means ignored religion.

The College of the Holy Cross received a charter in 1865, like the Tufts charter except that there was no prohibition of a religious test. The committee on education reported it without comment and it does not appear to have aroused opposition.¹⁰²

Smith College, the first college in the state solely for women, was incorporated in 1871 in accordance with the will of Sophia Smith. There was no mention of a religious test, but the will had provided that it should not be sectarian, but evangelically Christian. The daily reading and systematic study of the Scriptures was directed and there was instruction in Evidences of Christianity and Natural Theology. The town of Northampton was authorized to raise \$25,000 to secure its location there.¹⁰³ Wellesley College was incorporated in 1873, also for women, and without mention of religious test.¹⁰⁴

Subsequent college incorporations are listed below, with mention in the footnotes where there was a prohibition of religious tests.

Radcliffe College, Cambridge, 1882.¹⁰⁵

American International College, Springfield, 1885.¹⁰⁶

Clark University, Worcester, 1887.¹⁰⁷

¹⁰¹ *Sen. Doc.* 39, 1866, pp. 13, 14; *Sen. Doc.* 39, 1867, p. 7; Bush, p. 365.

¹⁰² *Sen. Doc.* 81, 1865; *Acts*, 1865, chap. 99.

¹⁰³ *H. Doc.* 58, 1871; *Acts*, 1871, chap. 52, 71.

¹⁰⁴ *Acts*, 1870, chap. 85; *Acts*, 1873, chap. 57.

¹⁰⁵ *Manual for the General Court*, 1923-1924, p. 352.

¹⁰⁶ *Ibid.*, p. 352.

¹⁰⁷ *Acts*, 1887, chap. 133. The letter inviting Dr. G. Stanley Hall

- Mt. Holyoke, authorized to grant college degrees, 1888.¹⁰⁸
 Trustees of Euphrates College funds, a college in Turkey, 1888.¹⁰⁹
 French Protestant College, Springfield, 1890.¹¹⁰
 Anatolia College, Marsovan, Turkey, 1894.¹¹¹
 Bible Normal College, 1897.¹¹²
 Massachusetts College of Osteopathy, Boston, 1898.¹¹³
 Simmons Female College, 1899.¹¹⁴
 Trustees of Phillips Academy changed to Trustees of Andover Theological Seminary, 1907.¹¹⁵
 Jackson College for Women, at Tufts, 1910.¹¹⁶
 Wheaton College, from Wheaton Female Seminary, 1912.¹¹⁷
 Northeastern University, Boston Y. M. C. A., 1916 and 1923.¹¹⁸
 Gordon College of Theology and Missions, 1916.¹¹⁹
 Emmanuel College, Irish, 1921.¹²⁰
 Atlantic Union College of Lancaster authorized to grant B. T. degree.¹²¹

The practice in the above instances appears to have been

to the presidency stated that there would be no sectarian tests. G. Stanley Hall, *Life and Confessions of a Psychologist* (New York, 1923), p. 262.

¹⁰⁸ *Acts*, 1888, chap. 109.

¹⁰⁹ *Acts*, 1888, chap. 38.

¹¹⁰ *Acts*, 1890, chap. 295.

¹¹¹ *H. Doc.* 347, 1894; *Acts*, 1894, chap. 106. Here the Puritan showed rare solicitude for the Turk in providing there should be no religious tests for students.

¹¹² *Acts*, 1897, chap. 314.

¹¹³ *Manual for the General Court*, 1923-1924, p. 353.

¹¹⁴ *Acts*, 1899, chap. 395.

¹¹⁵ *Acts*, 1907, chap. 260.

¹¹⁶ *Acts*, 1910, chap. 632.

¹¹⁷ *Acts*, 1912, chap. 84.

¹¹⁸ *Manual for the General Court*, 1923-1924, p. 355; *Acts*, 1923, chap. 93.

¹¹⁹ *Manual for the General Court*, 1923-1924, p. 356.

¹²⁰ *Ibid.*, p. 357.

¹²¹ *Acts*, 1923, chap. 119.

to disregard the question of religious tests except in those cases where there was a strong possibility that one might be imposed. Thus we may say that the policy of the state was in all cases opposed to the granting of charters where any sectarian test would be imposed; in the case of Boston College and Emmanuel College this was waived with reference to the faculty; in the case of Holy Cross it was finally waived entirely.

There were two other incorporations of a supervisory character for the promotion of collegiate education. The Trustees of Massachusetts College were incorporated in 1910, empowered to make use of the public school and Normal School buildings, with local consent, to promote good citizenship, and to grant degrees. The State Board of Education and all the Colleges were linked in its administration. No test of instructors or students as to religious or political opinions was permitted.¹²² In 1907 the Congregational Education Society was given an additional authorization to promote Christian civilization in foreign countries and territories acquired by the United States "by endowing, assisting or establishing academic, collegiate or theological institutions of learning therein."¹²³

State support of colleges after 1837 came in the form of the tax exemption, state scholarships, and direct appropriations. The tax exemption applied to property actually used for educational purposes where no profit was divided.¹²⁴ In 1853 there were established 48 state scholarships for young men, on condition that after graduation they would serve as principals of high schools in Massachusetts. They were worth \$100 and any college of the state could be selected.¹²⁵ The law did not accomplish its purpose and was repealed in 1866.¹²⁶

¹²² *Acts, 1910, chap. 113.*

¹²³ *Acts, 1907, chap. 143.*

¹²⁴ *R. S. chap. 7, sec. 5; Acts, 1857, chap. 56; Acts, 1874, chap. 375.*

¹²⁵ *Acts, 1853, chap. 193.*

¹²⁶ *Acts, 1866, chap. 210.*

At the beginning of the period the application of the Massachusetts School Fund entirely to common schools prevented any grants to the colleges. A resolve in favor of Williams College in 1842, after the burning of its dormitory, failed of passage.¹²⁷ But in 1846 a provision was made for devoting part of the proceeds of the public lands to other educational purposes than the common schools.¹²⁸

Up to this time Amherst alone of the colleges had not been aided by the state, supposedly due to "an influence from some quarter or other." Now it appears there was some disposition to even up, so that all could join in applying for some of the fund now available.¹²⁹ At this time it was claimed by an Amherst alumnus that "there is a special, extraordinary influence exerted at Amherst on the students to make and keep them Calvinistic."¹³⁰ Under these circumstances a resolve was reported and passed for the payment to Amherst, annually for five years, of \$5,000 from the proceeds of the sale of public lands.¹³¹ In the following year the presidents of Harvard, Williams, and Amherst presented a joint request that the school funds be so increased as to become a regular fund for colleges as well as common schools.¹³² Believing that the interests of the common schools and the colleges were the same, "the common interests of Christian learning," the committee on education reported a plan whereby when the school fund amounted to \$1,250,000, grants would be made to the colleges in proportion to the students annually graduated, for reduction in tuition, libraries, and laboratories.¹³³ But a minority successfully pleaded for the superior needs of the elementary schools and the Normal Schools.¹³⁴ The question of religion was not especially involved.

¹²⁷ *Sen. Doc.* 19, 1842.

¹²⁸ *Acts*, 1846, chap. 219, sec. 2.

¹²⁹ *Debates and Proceedings, State Convention*, 1853, II, p. 548.

¹³⁰ *The Christian Register*, Oct. 4, 1845, p. 158.

¹³¹ *H. Doc.* 105, 1847; *Resolves*, 1847, chap. 33.

¹³² *Sen. Doc.* 23, 1848.

¹³³ *H. Doc.* 112, 1848.

¹³⁴ *Ibid.*

In 1849 a public hearing on the request of the three colleges that when the \$1,000,000 limit prescribed for the School Fund was reached, a second fund of half that amount should be allowed to accumulate for the benefit of the colleges, was held before the joint committee on education. The three presidents appeared, and the principal speech was made by Edward Everett, who also appeared for the Harvard Corporation, though he had now resigned the presidency. He eloquently pleaded the duty of the state to cherish the colleges as well as the common schools, and showed there was no desire to take from the fund already devoted to them.¹³⁵ The result was another bill, this time providing for a Massachusetts Fund for Public Instruction when the School Fund reached \$1,000,000. This fund was to increase to \$750,000, and two thirds of it was to be for colleges and one third for Normal Schools, the Board of Education, and similar agencies. The only way in which the subject of religious education was in any way involved was in the statement that the benefit to Harvard would not apply to the professional schools, which would include the Divinity School.¹³⁶ But no action was taken on the proposal and instead another \$500,000 was added to the School Fund limit in 1851.¹³⁷

After this there was no possibility of grants to colleges until 1859, when the Back Bay lands were giving a profit to the state, and the colleges applied for a share of that. It will therefore be pertinent to examine their curricula and religious influence about that time.

The religious spirit of Amherst is apparent from these words used by President Stearns in his *Baccalaureate* of August 7, 1859:

"Never will you forget the religious influence which came over your class in 1857. But the great pentecost of the outpouring spirit experienced by us all in the winter and

¹³⁵ Edw. Everett, *Speech in Support of Memorial* (Cambridge, 1849).

¹³⁶ *H. Doc.* 92, 1849.

¹³⁷ *Acts, 1851*, chap. 112.

spring of 1858, while the whole country was moved with simultaneous impulse, you will always look back upon as a wonderful period in your history."¹³⁸

The regular regime also included much of a religious character. There was some religious course in each of the four years, including Paley's *Evidences*, *Greek Testament*, Biblical Criticism, Lectures on the Bible, Hickok's *Moral Science*, Butler's *Analogy*, and Lectures on Natural Theology. Each class received some Biblical instruction during each year. There was regular worship in the chapel each Sunday and daily morning and evening prayers. Every Thursday evening there was a religious lecture by a member of the faculty.¹³⁹ The text on Moral Science is the only one which has not previously been described. It had a distinctly religious basis and treated of duties to man, nature, and God, of the theory of the state, divine government, and parental government. It assumed the existence of a personal Deity.¹⁴⁰

At Williams the students were introduced in the junior year to Hopkins' *Evidences of Revealed Religion* and in the senior year to Wayland's *Elements of Moral Science*, Kaines' *Elements of Criticism*, Paley's *Natural Theology*, Butler's *Analogy*, and Vincent on the *Catechism*. Attendance at church and morning and evening prayers was required.¹⁴¹

At Harvard there was a somewhat more attenuated religious curriculum, but seniors used *Evidences of Christianity* by Hopkins, and Peabody's *Lowell Lectures*. There was compulsory chapel and Sunday attendance at public worship somewhere, while breakfast was immediately after prayers.¹⁴²

¹³⁸ William A. Stearns, *A Discourse on Educated Manhood* (Springfield, 1859).

¹³⁹ *Catalogue*, 1859, pp. 17-21.

¹⁴⁰ L. P. Hickok, *A System of Moral Science*, (3d ed., New York, 1874).

¹⁴¹ *Catalogue*, 1858-1859, pp. 19-23.

¹⁴² *Catalogue*, 1863-1864, pp. 33, 38, 48.

Tufts was a Universalist college, but the religious texts used were the same, namely, Paley's *Evidences of Revealed Religion*, Butler's *Analogy*, and Paley's *Natural Theology*. Students were required to attend morning prayers and reading of the Scriptures in the chapel, and to attend public worship in Medford or Somerville churches on Sundays and days of thanksgiving and fast.¹⁴³

The work of all the colleges was therefore definitely religious and in the cases of Amherst and Williams of a Calvinistic tendency.

Tufts, in 1857, petitioned for an appropriation on the same basis as the other colleges had received aid, alleging that it did not in any way interfere with the prerogatives of conscience, but allowed a choice of the place to attend the required public worship on Sunday.¹⁴⁴ They failed to get a bill reported that year; but the following year a bill which failed of passage was reported, one reason for reporting it being given as that the class now seeking aid had never had any, while others had.¹⁴⁵

In 1859 the joint committee on education had before them petitions from Tufts, Wesleyan Academy, Harvard, and a proposal of the governor regarding a Museum of Natural History and the School Fund. A resolve for the Universalist institution was reported because without Tufts the 100,000 Universalists of Massachusetts were more or less deprived of a college education because of the sectarian tendencies of other institutions; Tufts was "neither conceived in sectarian pride, nor will be sustained with the desire to spread sectarian views;" its purpose was to educate those who held sectarian views; the duty was plain to grant free facilities of education to all sects, because the search for truth would tend to elevate the good and correct the wrong; and because while Harvard had received over \$300,000, Williams \$56,000, Amherst \$25,000, Bowdoin \$70,000, and the academies over \$600,000, the Universalists

¹⁴³ *Catalogue*, 1860-1861, pp. 11-15.

¹⁴⁴ *H. Doc.* 40, 1857.

¹⁴⁵ *H. Doc.* 113, 1858.

had never had a dollar. Provision was also to be made for Wesleyan and for the School Fund. After recommitment a second report was presented providing that half the proceeds of sales of Back Bay land should go to the School Fund; the other half would be used to redeem script issued for the benefit of Tufts, Wesleyan, Williams, Amherst, and the Museum of Comparative Zoology. Amherst was included because of its services to the cause of learning and religion, having sent out by 1853, 415 clergymen, 65 physicians, 102 lawyers, 47 missionaries, 61 teachers, six presidents of colleges, 28 professors in colleges and theological seminaries, 15 judges, and seven members of Congress. Williams had performed a similar service and by 1854 had given the world 472 clergy, 417 lawyers, 118 physicians, 114 teachers, 66 important public officials. It had exerted a strong missionary influence.¹⁴⁶

When these Senate bills reached the House finance committee, it vetoed the issuance of script, and as finally passed the colleges were required to raise a sum equal to that given by the state; Williams, Tufts, and Amherst had to provide each three free scholarships to be filled and controlled by the Board of Education; and the institutions were to receive from the Back Bay funds as they came in not to exceed the following amounts: Museum of Comparative Zoology, \$100,000; Tufts, \$50,000; Williams, \$25,000; Amherst, \$25,000; Wesleyan, \$25,000. The remainder of the funds were used to redeem 1856 script and to increase the School Fund.¹⁴⁷

The peculiar relations of the state to the Massachusetts Agricultural College and its religious aspects have been described. It also received substantial aid from the state and eventually became definitely a state controlled institution. In 1865 the town of Amherst was authorized to raise \$50,000 to erect suitable buildings on the college farm.¹⁴⁸ The constitutionality of this under the 18th Article of

¹⁴⁶ *Sen. Doc.* 83, 1859.

¹⁴⁷ *H. Doc.* 253, 1859; *Acts*, 1859, chap. 154.

¹⁴⁸ *Acts*, 1865, chap. 195.

Amendments was questioned, but the statute was upheld because it was only its purpose to prevent grants to common schools not under public control, and grants to academies and colleges were not included in the prohibition.¹⁴⁹ Besides the income from the fund, the college received annually direct appropriations from the treasury varying from \$10,000 to \$50,000, during the first decade of its history.¹⁵⁰ In 1879 the legislature became dissatisfied with annual appeals to the legislature to pay indebtedness incurred beyond appropriations, and made the trustees personally liable for such debts and asked the Governor and Council to investigate and report a plan of discontinuance of relations with the institution or a permanent relation to the state.¹⁵¹ At this time the institution was requiring all students to report in writing during the week whether they attended public worship the preceding Sunday and they were invited to join a Bible class on Sunday afternoons. They might select their church home at the Baptist, Congregational, Episcopalian, Methodist Episcopal, or Roman Catholic churches.¹⁵² The report of the Governor and Council was to the effect that the state had in all appropriated \$255,000 to it and the town of Amherst \$75,000. It recommended that it be made a department in Amherst College, which was ready to receive it, and the state have to make no more contributions.¹⁵³ But this plan failed of consummation and in 1882 the state appropriated \$9,000 for repairs on college buildings and for a drill house,¹⁵⁴ in 1883 an appropriation was made for 80 free annual scholarships by senatorial districts,¹⁵⁵ and in 1884 an appropriation of not to exceed \$36,000 was made for buildings, part to be

¹⁴⁹ *Merrick v. Inhabitants of Amherst*, 12 Allen 500-510.

¹⁵⁰ *40th Annual Report of the Bd. of Ed.*, Appendix, 1875-76, pp. 82-83.

¹⁵¹ *Acts*, 1879, chap. 258.

¹⁵² *Sen. Doc.* 125, 1880, pp. 44, 46.

¹⁵³ *H. Doc.* 9, 1880.

¹⁵⁴ *Resolves*, 1882, chap. 49.

¹⁵⁵ *Resolves*, 1883, chap. 46.

used for a chapel for lectures and religious services.¹⁵⁶ The last was increased by \$45,000 the following year, part to be used for furnishing the chapel.¹⁵⁷ Subsequently the institution was definitely declared to be a state institution.¹⁵⁸

The opposite policy resulted from Amherst College requests for funds in 1869 and 1872. Each time the committee on education reported a grant, the second time affirming that whether the policy of grants to colleges was right or wrong, it had never been abandoned.¹⁵⁹ Instead of making the grant, the state separated from its share of control of the college by providing that the five trustees before chosen by the state should be selected by the alumni.¹⁶⁰ This action and the previous one relative to Harvard made all the higher educational institutions except the Massachusetts Agricultural College private institutions in the modern meaning of the words. The last state appropriations to regular colleges of this type were \$25,000 to Williams in each of the years, 1868, 1869, 1870.¹⁶¹

The refusal of petitions of colleges in 1911 serves only to confirm the fact that the policy of the state then was that regular colleges not under the administration of the state were not eligible for public funds. Among the petitioners was Boston University, which had never had any state aid, and but for this rule might have secured aid as a matter of justice between all colleges. The religious aspect of the matter was put forward in a clear-cut way, and appeared to be more of an issue than it had ever been before. Said J. H. Benton in behalf of the University, referring to the fact that the School of Theology taught according to the doctrine and ritual of the Methodist Episcopal church:

¹⁵⁶ *Resolves*, 1884, chap. 50.

¹⁵⁷ *Resolves*, 1885, chap. 65.

¹⁵⁸ *Acts*, 1911, chap. 311; *Acts*, 1918, chap. 262, sec. 1; *Op. A. G.* 308.

¹⁵⁹ *H. Doc.* 299, 1869; *H. Doc.* 300, 1872.

¹⁶⁰ *Acts*, 1872, chap. 340.

¹⁶¹ *Appropriations for Sectarian and Private Purposes*, pp. 60-77.

"Such has been the policy of Massachusetts. This is a Christian Commonwealth and it has never refused aid to any university, college, or schools solely because it taught the religion of Christ according to the doctrine of any particular Christian church."

He pointed out that Harvard, Tufts, Mt. Holyoke, and Wesleyan Academy had had aid despite denominational teaching and that free public libraries supported by public money might circulate denominational books. If it was right to teach doctrines by books, it was right to teach them orally.¹⁶² But times had changed, and while the state was not entirely consistent, the time was past when denominational teaching in private schools or colleges might receive public funds.

But in technical schools the religious element was so attenuated¹⁶³ that two of these received state aid until 1917. The Worcester County Free Institute of Industrial Science, subsequently known as Worcester Polytechnic Institute, received in 1869 a grant of \$50,000 on condition that free tuition be annually provided to twenty pupils to be selected by the Board of Education;¹⁶⁴ in 1896 the number was doubled and an annual grant of \$3,000 made.¹⁶⁵ These were available until 1917.¹⁶⁶ Similarly Massachusetts Institute of Technology received between 1863 and 1917 for maintenance the sum of \$1,489,040 and from funds \$277,604.66.¹⁶⁷

Between 1837 and 1917, therefore, in reference to both academies and colleges, the policy became established that the state would freely grant incorporations, the requirement

¹⁶² *Argument of J. H. Benton, Feb. 14, 1911* (Boston, 1911), pp. 1-25.

¹⁶³ *Annual Catalogue of the Worcester County Free Institute of Industrial Science, 1870*, esp. p. 12.

¹⁶⁴ *Resolves, 1869*, chap. 57.

¹⁶⁵ *Resolves, 1896*, chap. 407.

¹⁶⁶ *Journal of the Worcester Polytechnic Institute, Dec., 1917*, pp. 18, 123.

¹⁶⁷ *Appropriations for Sectarian and Private Purposes*, pp. 70-77.

that there should be no religious test, however, being usually insisted upon for both faculty and students, where there was much possibility that a test would be applied. In the case of Roman Catholic institutions where the faculty were members of a religious order the test was waived for the faculty, and in the case of Holy Cross was finally not mentioned. Rather than perpetuate a condition of semi-control over Harvard when it was actually under Unitarian control, the state separated from its special control over it and thereafter gave it no funds. Rather than support Amherst financially, it also severed the partial control of that institution. Amherst Agricultural College was made a state institution and definitely supported. As late as 1859 there was no objection to supporting denominational teaching in colleges and academies, and the non-sectarian amendment did not apply to them. But afterward, due to a better system of state finance, a new conception of the meaning of a public institution, and a changed attitude toward the propriety of the state supporting denominational institutions, the policy changed so that by 1917 no colleges except the one state institution, no academies except in a few cases where the towns appropriated and held them partially under their administration — an expedient of doubtful constitutionality because then the Amendment XVIII applied to them as a part of the public school system — and no other educational institutions except two technical ones with almost no religious influence, were receiving state aid.

CHAPTER IX

RELIGIOUS ASPECTS OF EDUCATIONAL LEGISLATION AND ADMINISTRATION, 1855-1917

THIS period started with the legal status of religious education by the state such that funds were constitutionally prohibited to common schools not under the direct administration of public authorities, sectarian instruction was legally impossible, the reading of the Bible daily was required in the common English version and instruction in piety, interpreted to mean the fundamentals of the Christian religion common to all sects, was legally enjoined, while all were compelled to attend this religious teaching unless they attended a private school. All Protestants were satisfied with this settlement as a general rule; while to Catholics it was unsatisfactory. Within these limits the exact character of the instruction was within the jurisdiction of local committees.

The Normal Schools were under the more direct administration of the Board of Education. The former religious element in the curricula had now practically vanished and there was nothing left but the statute requiring daily Bible reading, and the study of Mental and Moral Science.¹

The local school regulations were also well within the law. In 1856 in the high schools of Newburyport the boys were studying Moral Philosophy and the girls in addition Paley's *Natural Theology*, Butler's *Analogy*, and Milton's *Paradise Lost*. There were no studies of a religious character in the primary and grammar curricula.² In the Roxbury

¹ 21st Annual Report of the Bd. of Ed., 1858, p. 18; 29th Annual Report of the Bd. of Ed., 1866, pp. 88, 89.

² Annual Report of the Sch. Com. of Newburyport, 1856, pp. 12-13.

Grammar School there was no religious instruction for those in the Latin course, but in the English course there was about 1860 a study of Worcester's *Ancient and Scripture Geography* and Wayland's *Moral Philosophy*.³ By 1876 the program chart of the Boston Latin School showed no periods devoted to religious education.⁴ But in the Plymouth High School in 1857 there was still the use of Wayland's *Moral Science*, Paley's *Natural Theology*, and the *Greek Testament*. In addition to the required Bible reading each morning in the schools, Moral Science with oral instruction by topics was studied in the grammar schools.⁵

In Marblehead in 1860 the high school curricula included reading in the Bible, and Wayland's *Moral Science*; for the English course *Evidences of Christianity* and *Natural Theology*; and for the classical course, the *Greek Testament*. Among the reading texts for the grammar schools were listed the Bible or Testament, and Hall's *Manual of Morals* was used.⁶ In the Waltham High School there was no religious content, but good manners and morals were listed in all the schools of lower grade and the Bible was a text in the primary and grammar schools.⁷ Newton provided that the schools should be opened with reading the Scriptures and other religious exercises, but the studies of the lower grades of schools showed no religious content and the nearest approach to it in the high school was Moral Philosophy.⁸ Leominster listed the Bible in the English version among its list of texts and inculcated morality as the term was generally understood by this direction to teachers:

"He should direct his pupils in the path of right and

³ Dillaway, pp. 100-106.

⁴ Jenks, Appendix, pp. 290-300.

⁵ *Third Annual Report of the Supt. of the Public Schools of the Town of Plymouth, 1857-1858*, pp. 18-20, 35, 39.

⁶ *Report of the Sch. Com. of Marblehead, 1860*, pp. 29-31.

⁷ *Report of the Sch. Com. for the Town of Waltham, 1856-7*, p. 14.

⁸ *Report of the Sch. Com. of the Town of Newton, 1860-61*, pp. 41, 45, 46.

duty, and impress upon their hearts their moral obligations to their race, their parents, themselves, and their God.”⁹

In 1860 the Boston regulations provided that the morning Scripture reading should be followed by the repetition of the Lord's prayer by the teacher alone, and the afternoon session should be closed by appropriate singing. Daily instruction in good morals was required. In the Latin Grammar School the religious content had disappeared, but in the English High School there was a recitation every Monday morning in Paley's *Evidences*, and other religious books used were *Moral Philosophy* and *Natural Theology*. The primary school grades had no religious books, and the grammar grades only Hall's *Manual of Morals*.¹⁰ In the Worcester high schools there was nothing definitely religious, the nearest being *Moral Philosophy* in the senior year of the normal course for girls and in the commercial course.¹¹ Quincy merely recommended that prayer follow the required Bible reading in the morning, and teachers observe the moral instruction law of 1789.¹²

While the curricula of Medford showed no religious subjects in any of the schools in 1867, the regulation requested the teachers to open school with Scripture reading and the repetition of the Lord's prayer, and required the weekly repetition of the Ten Commandments. Teachers were required to obey the moral instruction law, and for a systematic course in Christian morals it was recommended that the teachers use Hall's *Manual of Morals* or the treatises of Wayland or Cowdrey.¹³ Similarly Taunton provided no religious content in any of its curricula, and provided only for the teacher repeating the Lord's prayer after the Scripture reading. A practical attempt to better the general

⁹ *Annual Report of the Sch. Com. of the Town of Leominster*, 1859-1860, p. 14.

¹⁰ *Rules and Regulations*, Boston, 1863, pp. 29, 50-52, 55, 60-61.

¹¹ Grizzell, pp. 316-317.

¹² *29th Annual Report of the Bd. of Ed.*, 1866, pp. 255, 256.

¹³ *Annual Report of the School Committee of the Town of Medford*, 1867, pp. 9-13.

atmosphere of the school appeared in that none might attend while under sentence at the almshouse for crime, or if they used profane or unchaste language, or were afflicted with any contagious disease.¹⁴

There was therefore no sectarian instruction in the schools and the use of the *Greek Testament* and *Evidences of Christianity* was becoming very rare. There was more attention to the teaching of morals including fundamental religious conceptions; but the actual results in schoolroom practice should not be estimated too highly. The Bible was read as required by law, and the general practice seems to have been to have little after this except the repetition of the Lord's prayer by the teacher. The Bible still appeared frequently as a regular reading book. In the high schools religious subjects had practically disappeared by 1884, for George H. Martin then reported that he found only a few studying mental or moral science, and "one class studying Christian Evidences, though showing none in their conduct."¹⁵

According to the reports of school committees to the State Board, the statute requiring daily Bible reading was generally approved by the local committees and there was an attempt to introduce more instruction in Christian morals. But they had to face an opposition from the Catholics which seriously affected the attendance in some public schools. In his *Abstract* of the school returns for 1856 and 1857 Secretary Boutwell summed up their replies.

Cambridge reported the opposition to the use of the Bible was about to disappear. With reference to the statutes which they said required the inculcation of the principles of religion and the precepts of Christianity, they commented:

"This is as it should be. . . . We claim to be a Christian people. . . . Remove the Bible from them, and allow the teacher to suspend the devotional exercises, the repe-

¹⁴ *Rules and Regulations, Taunton*, 1869, pp. 9, 22-24.

¹⁵ George H. Martin, *Report on the High Schools of Mass.*, 1884, p. 12.

tition of the decalogue, and the prayer of our Lord, and it would be found that the moral forces now possessed would be greatly diminished.”¹⁶

Ipswich regarded the deep impression of “the great Christian precept, — that of doing unto others as we would that they should do unto us” as a necessary part of a complete moral instruction.¹⁷ Cummington believed that Scripture reading and prayer had imparted a healthful moral tone, and that if the Christian religion were taken from its position as the basis of the pervading element of the common schools, they would be robbed of much of their power of good.¹⁸ Lenox reported the Bible read in all schools, in some classes used as a reader. At the summer session many of the pupils followed a suggestion that they commit to memory a verse of Scripture each day, to be recited at the close of the afternoon session. A good effect on manners and morals was reported.¹⁹

It is apparent from the above that the religious content of the schools was now regarded more as a basis for a civic morality of a Christian character than as a direct attempt to promote Christianity. In fact in 1858 Secretary Boutwell refuted the claim that the schools were immoral, because, he said, it was not in any sense true that religion was excluded from them. The generally accepted truths of Christianity, without sectarianism, were taught in a large majority of the schools. He believed that a clearer conception and a more practical recognition of the truths of Christianity was needed in the public schools, but nevertheless of the daily reading of the Scriptures he said:

“The observance of this requirement is a recognition of the existence of the Supreme Being, of the Bible as containing a record of His will concerning men, and of the common duty of rational creatures to live in obedience to the obligation of morality and religion.”²⁰

¹⁶ *20th Annual Report of the Bd. of Ed.*, 1857, Abstract, pp. 185-186.

¹⁷ *Ibid.*, p. 103.

¹⁸ *Ibid.*, p. 136.

¹⁹ *Ibid.*, p. 145.

²⁰ *21st Annual Report of the Bd. of Ed.*, 1858, pp. 59-62, 72-73.

The Secretary also presented quotations from committee reports to show that they favoured moral instruction. Boston desired more moral training,, but deprecated formal exercises and careless, concert repetition of the Ten Commandments.²¹ Boxford considered teachers sadly deficient in imparting moral instruction, but did not want sectarianism.²² In Ipswich more moral and religious improvement of the young was desired, and an attempt had been made to prevent profanity. The Bible was considered the best means of spreading knowledge, morality, and religion in the common schools, and in reference to the desire of some to exclude it, a distinguished orator was quoted:

“Never — never, so long as a piece of Plymouth rock remains big enough to make a gun flint out of.”²³

The Monson committee even cast its eyes longingly backward to the good old days when there was less shameless iniquity and wondered if the moral integrity of that period was not due to the weekly catechetical exercise by the teacher or clergyman in the public school.²⁴ There was a similar tone from Lanesborough, where it was agreed that the new education was better intellectually but worse spiritually. They feared that the desire to banish everything sectarian would make the schools “nurseries of infidelity rather than the handmaids of true religion and virtue.” They had no confidence in any system of education in which God, the Bible, and the fundamentals of the Christian faith were ignored, although they admitted this might seem like “Old Fogyism” to “Young America.”²⁵ To the Easton committee it seemed that the common schools had a religious character and influence, without dogma, and that the great principles of morality and piety ought to be inculcated.²⁶

But while this Bible reading and instruction in Christian morality was satisfactory to the Protestants, it kept Catho-

²¹ *Ibid.*, Abstract, p. 4.

²² *Ibid.*, Abstract, p. 6.

²³ *Ibid.*, Abstract, p. 10.

²⁴ *Ibid.*, Abstract, pp. 69-70.

²⁵ *Ibid.*, Abstract, pp. 87-88.

²⁶ *Ibid.*, Abstract, pp. 105-107.

lic children out of school in some places and hastened the development of the parochial school system. Secretary Boutwell at the end of 1856 called attention to the fact that in some places Catholic children had been kept out, but believed that it was not general and would probably diminish.²⁷ In Lawrence the Catholic schools had been discontinued and 2,279 had been received from them into the public schools.²⁸ But where Catholics attended in preference to parochial schools or where they could not avoid it under the compulsory attendance law where parochial schools were not available, trouble was sure to result.

A case occurred in Boston in 1859. Thomas Whall's father had instructed him not to read the Protestant version of the Bible or of the Ten Commandments. For refusal the boy was expelled, then returned, was scourged and expelled with 400 other boys. An unsuccessful suit was brought for the boy and then the 400 boys were put in a parish school out of which came Boston College.²⁹ The City Solicitor had meantime ruled that the power of expulsion was vested in the school committee alone.³⁰ But such a situation was rendered impossible by a change in the form of the Bible reading law in 1862, so that it was to be without written note or oral comment and children could not be compelled to read from a particular version if their parents had conscientious scruples against it.³¹ This law

²⁷ *20th Annual Report of the Bd. of Ed.*, 1857, pp. 50-51.

²⁸ *Ibid.*, Abstract, pp. 14, 15.

²⁹ Walsh, *Religious Education in the Public Schools of Mass.*, pp. 111-112.

³⁰ *Annual Report of the Sch. Com. of the City of Boston*, 1859, p. 167.

³¹ *Acts*, 1862, chap. 57. The text of the law read as follows:

"The school committee shall require the daily reading of some portion of the Bible, without written note or oral comment, in the public schools, but they shall require no scholar to read from any particular version, whose parent or guardian shall declare that he has conscientious scruples against allowing him to read therefrom, nor shall they ever direct any school books calculated to favor the tenets of any particular sect of Christians, to be purchased or used in any of the public schools."

made it practically impossible to use the Bible as a basis for direct instruction in even the fundamentals of Christianity, but at the same time obviated a difficulty regarding scruples of conscience.

A case was decided in 1866 relating to the authority of the school committee to prescribe and require participation in religious exercises in addition to the required Bible reading. The plaintiff was a girl of 13 legally residing in Woburn, and attending a school where the committee had prescribed that in addition to the Scripture reading the scholars should bow their heads during prayer. Her father objected to this procedure, and the school committee modified the regulation so that if a parent requested it the child should be excused from participation. Upon the refusal of the parent to request this, and his direction to his child not to obey, the plaintiff was excluded from school. A suit for damages was brought under the law permitting it where pupils were illegally excluded from school. It was contended that the regulation in form and substance compelled the plaintiff to unite in prayer and that exclusion on account of religious opinions was in violation of law. The Court held, however, that the committee had power to pass reasonable rules and regulations, that the moral instruction law gave authority to pass a regulation for Bible reading and prayer; but this did not mean that pupils could be compelled to conform to any religious rite or observance, or to go through forms or ceremonies, which would violate their religious convictions or conscientious scruples. However, bowing the head was not construed as an act of devotion or religious ceremony; it was only a means of securing quiet and decorum. Because of this and because the parent could obtain release from this act even, on the same basis as excuses from reading from a particular version of the Bible, it was held that the exclusion from school was justifiable and there was no ground for action.³²

³² *Spiller v. Inhabitants of Woburn*, 12 Allen 127-130.

But in a case where Catholic children were severely punished for refusing to read from a particular version of the Bible, the judgment was against the teacher.³³ In 1880 the law was also made more specific by excusing also from any personal part in the reading, but to be excused in any way it was necessary that the parent or guardian should inform the teacher in writing that he had conscientious scruples against it.³⁴ The statute has since remained in this form. Secretary J. W. Dickinson in 1882 in commenting on the law said that the duty of the committees was performed if they required it as a part of the morning devotional exercise and that school committees could use discretion as to whether every child who could read should be required to do so. This of course referred to cases where written objection was not made.³⁵ But in any case the child would be present during the reading.

Because of this more or less compulsory element in the public schools, the requirements under the compulsory attendance law assumed significance. The original provision for attendance for 12 weeks of children 8 to 14, unless they were otherwise instructed or had finished the branches of the common schools, was changed in 1873 to require 20 weeks of those 8 to 12. But they were excused by poverty, attendance at an approved private school, attendance at a half-time school, or if otherwise furnished with the means of education for a like period, if the public school branches had already been acquired, or if the physical or mental condition made it inexpedient.³⁶ This age was subsequently lengthened so that the years 7 to 14 were included.³⁷

These provisions naturally brought up the question as to what was necessary for the approval of a private school and whether the state should then supervise the parochial

³³ Conway and Cameron, *Charles Francis Donnelly, A Memoir* (New York, 1909), p. 18.

³⁴ *Acts*, 1880, chap. 176.

³⁵ *46th Annual Report of the Bd. of Ed.*, 1881-1882, p. 120.

³⁶ *Acts*, 1873, chap. 279.

³⁷ *Acts*, 1874, chap. 233; *Acts*, 1898, chap. 496, sec. 12.

schools teaching a considerable amount of religion. In 1873 it was provided that the school committee could not object to such a school on account of its religious teaching;³⁸ in 1878 it was further required that there must be as thorough and efficient teaching and as much progress in the studies required by law as in the public schools, and that this teaching should be in the English language.³⁹

There had long been a general opinion that the instruction in the parochial schools was inferior to that in the public schools. The answer of Sheriff John S. Keys of Middlesex County to a questionnaire of Secretary Boutwell relative to the education received in childhood by the inmates of penal institutions was characteristic. He reported that the Irish girls had studied needlework and household matters and religious exercises, rather than the regular school branches, and he doubted whether this constituted "a tolerable education."⁴⁰ There was no desire to control the strictly religious education of these schools, but there was a desire to prevent their failing to give adequate education in the regular branches. Besides, the community as a whole undoubtedly preferred a democratic system of common schools in which all would be taught the same brand of Americanism and morality.

The proposal in Massachusetts to inspect the parochial school was also the natural outcome of nation-wide agitation of the subject of religious education, especially as it concerned the Catholics, in the decade following 1875. Anti-Catholic zealots who came to constitute the American Protective Association naturally used this attempt to license parochial schools as one means of thwarting the Catholics. The type of education for all the people preferred by most Protestants was probably described in the resolution accepted by the First Congregational National Council in 1865, to the effect that all principles of religious and civil

³⁸ *Acts, 1873*, chap. 279.

³⁹ *Acts, 1878*, chap. 171.

⁴⁰ *23rd Annual Report of the Bd. of Ed.*, 1860, p. 63.

freedom had originated from the Bible, and could be maintained only by the general circulation of the Word of God through all channels of popular education, and approving of the Puritan principle of the reading of the Scriptures daily in the schools and pledging resistance to any encroachment.⁴¹ But an entirely different point of view was expressed in the *Annual Message* of President Grant, December 7, 1875, recommending the submission to the states of a federal amendment requiring the maintenance by the states of free public schools for all, and forbidding the teaching in them of any religious, atheistic, or pagan tenets, and prohibiting any appropriations by states or municipalities directly or indirectly to any religious sect or denomination or in their aid.⁴² Bishop, later Cardinal, Gibbons, denounced this as reducing the American republic to the conditions of pagan Rome, interfering with the sacred right of the father to direct the education of his children, and as being impossible, since there was no neutral ground between religion and paganism.⁴³

In the following year there was a sharp discussion of the whole problem brought up by President Grant. In Boston the Free Religious Association, made up of liberals, arranged three addresses on the subject. Rev. M. J. Savage, Unitarian, pastor of the Church of the Unity, Boston, asserted that it was not the business of the state whether anyone was saved in the next world or not. The church claimed exemption from taxation and the requirement of Bible reading in the schools only on the basis of present service, a moral education for right thought and right conduct. Because the Catholic church owed allegiance to a foreign power and put religion above morals, and because the Protestant church was more interested in other-worldliness, it was the duty of the state to provide a moral education of

⁴¹ *Congregational Quarterly*, VII, 1865, p. 357.

⁴² *52nd Annual Report of the Bd. of Ed.*, 1887-1888, p. 80.

⁴³ Allen S. Will, *Life of Cardinal Gibbons* (New York, 1923), I, pp. 160-162.

its future citizens.⁴⁴ The Catholic position was stated by Bishop McQuaid of Rochester. He again insisted on the parental right to educate children in accord with the conscience of the parent; opposed as unjust the taxation of Catholics, Jews, and infidels for schools in which the Bible was read and religious exercises were held; he preferred the old Massachusetts system to the Godless schools proposed by President Grant, and said it was not the fault of the Catholics that they were becoming Godless; he asserted that, to the Catholic, secularism was as much sectarian as evangelicalism; that the Methodists favored religious teaching in schools but they and the Baptists were intolerant at a just arrangement for Catholics and hence supported the secularist demands; that as secularism had broken down evangelical claims, it desired also to subdue the Catholic claim, which he stated in these words:

“It is not to deprive Protestants of their Bible in their schools; it is to educate Catholic children in Catholic schools with our own money, under state supervision if you please. We do not want Protestant money, nor any state money that was not taken from our purses.”

This virtually meant that the state should abdicate the function of education and return it to the church, where it had originally been; the constitution of Massachusetts would have had to be radically altered to try it out in Boston, as he suggested, on the principles of non-interference of the state in religious matters, in church or schools; compulsory knowledge, through parents' schools, under parents' control, and at their cost; and no monopoly of the teacher's profession.⁴⁵

A week later Francis E. Abbot upheld the secular, non-sectarian view, and asserted the real question was whether the church or state should control schools. Some non-

⁴⁴ *Proceedings at the Ninth Annual Meeting of the Free Religious Association held in Boston, July 1 and 2, 1876*, pp. 54-62.

⁴⁵ *The Public School Question, Tract No. 5, Published by the Free Religious Association of Boston* (Boston, 1876), pp. 5-60.

Catholics would have the schools assume a Protestant character and some would have them neutral; he believed it was wrong to have Bible reading in them and to provide, at state expense, a sectarian education in Catholic schools. He objected to the claim of a parental prerogative superior to the authority of the state, and said that if the Bible reading were taken out then the state had a right to tax all for secular schools.⁴⁶

Just at the time when the Catholics were attempting to remove children from public to parochial schools,⁴⁷ the public officials of Massachusetts were advocating the development of a practical system of elementary schools to teach morality and citizenship and to offset the growth of a poor, ignorant, discontented city proletariat.⁴⁸ The purposes of the two groups did not in their opinion harmonize, and the result was the inspection proposal.

The *Pastoral Letter* of the Third Plenary Council in 1884 became the basis of the later Catholic attitude in the United States on the school question. It was stated that no parish was complete until it had schools adequate to the needs of its children. It did not complain that the schools were then Godless, because it recognized that the teaching of religion was not within the province of the state. The church would not antagonize the state, but would have Catholics follow their conscience to Catholic schools, where by becoming better Christians they would become better citizens. But it did claim that religion should not be shut out of schools, and this by the logic of the situation meant that the state should give up education. The Catholic schools were to be made as good as any. But the public schools were not condemned, and parents who sent children to them might not be excluded from the sacraments.⁴⁹

⁴⁶ *Ibid.*, pp. 61-100.

⁴⁷ A. D. Mayo, *Governor Butler vs. the Common Schools of Mass.*

⁴⁸ *Ibid.*; 42nd Annual Report of the Board of Education, 1877-1878, p. 9; *Acts and Resolves*, 1878-1879, pp. 704-705.

⁴⁹ Will, pp. 262-267.

A rapid development of parochial schools in Boston followed this official statement of the position of the church. This was interpreted by anti-Catholics as foreshadowing an attempt to control the school committee and there was an increase of both Catholic and Protestant women registered to vote in the school election. Archbishop Williams denied that the church had ever in any way tried to promote voting by women and said he did not believe the church should meddle in politics. Charles F. Donnelly published a statement, as counsel for the Archbishop, in which he denied that the ecclesiastical authority could approve any attempt to control the public schools in the interest of religion.⁵⁰

But the anti-Catholic agitation did not subside, and a strong fight was made in 1888 under the leadership of Rev. Joseph Cook and Rev. E. J. Haynes of the Baptist Tremont Temple to require the inspection of private schools. In the preceding year a legislative committee had reported that the standards of the parochial schools were low, after an investigation of the employment and schooling of children.⁵¹ This became the immediate reason for the demand for inspection, but undoubtedly many of the anti-Catholics were thinking as much of controlling the religious education as they were of raising the standard of the secular.

The official state position, however, shows no attempt to control the religious education in these schools. Secretary Dickinson expressed more clearly than any of his predecessors the secular view of the state and education. Starting with the proposition that a democratic sovereign state might do anything necessary for its well being, he held that a system of public schools, organized and controlled and supported by the state, was necessary to develop a virtuous, intelligent, and homogeneous people. To promote common sympathy and an attitude favorable to a common belief in general principles, a common training of all in the schools of the people was necessary. The state should leave all strictly religious instruction of the young to the family

⁵⁰ Conway and Cameron, pp. 29, 30.

⁵¹ *Ibid.*, pp. 31 ff.

and church, and he believed the state would never permit a general tax "for ecclesiastical objects concerning which the state has no right to express any opinion, and over which it has no right to exercise any control." He admitted there was no theology in the common schools, but denied that they were anti-religious. He thought it would be better to have all the children in the common schools than to have the state recognize the private schools by inspection.⁵² When asked by the House of Representatives as to his attitude, he did not actively favor it and merely insisted that whatever inspection was made, it should be by the school committee and if this were done the power of the State Board to obtain information from the committees should be correspondingly enlarged.⁵³ He was, however, in favor of a law to require the registration of the children who were attending the parochial schools.⁵⁴

The chief advocacy of the bill centered in meetings held in Tremont Temple every Sunday. There was strong Baptist support and Rev. Mr. Leyden of the Clarendon Street Baptist Church, who had been educated in a parochial school, favored it because the teachings of the parochial schools were dangerous to the United States and to Massachusetts. At the hearing, however, the bill was opposed by Protestants as well as Catholics. Superintendent Marble of Worcester wished only a report of the registration of pupils in the parochial schools; he would not do more lest the parochial schools be taken under the wing of the school committee. President Eliot of Harvard feared it would lead to the election of the school committee on religious grounds and wished the Catholic population to become reconciled to the American public school system. Mr. Donnelly brought up the parental control argument and said the parochial schools had the same purpose as the old schools of Massachusetts, to teach piety; and he denied

⁵² *52nd Annual Report of the Bd. of Ed.*, 1887-1888, pp. 70-81.

⁵³ *H. Doc.* 139, 1888.

⁵⁴ Conway and Cameron, p. 54.

the right of the state to register, visit, or examine unless the state supported the schools. Rev. Dr. Bartol, a Protestant, thought the more religion in the parochial schools the better. Rev. Edward Everett Hale, a trustee of the Roxbury Latin School, opposed because it would be inconvenient for that institution.⁵⁵ Finally a bill was reported to require teachers of private schools to keep a register of attendance and return it to the school committee once in six months.⁵⁶ But the year passed without any new legislation.

The demand was renewed before the next General Court, with John D. Long appearing for the petitioners. He said that it was desired to have children of the ages 8 to 14 secure the fundamentals of an English education in schools under the inspection of the public authority, and to have parents free to send their children where they pleased without ecclesiastical interference. Superintendent Bartlett of Haverhill reported there had been trouble there because the French-Canadians were being taught the French instead of English language. Six parents had been prosecuted under the truancy law for sending their children to St. Joseph's School when it was not approved by the school committee, but Judge Carter had held that any education, however poor, was a sufficient substitute. During the year 14 hearings were held on the bill.⁵⁷ A question arising as to the meaning of the statute then in force, an advisory opinion was solicited of the Supreme Judicial Court as to whether instruction in an unapproved private day school was sufficient to meet the requirement, "otherwise furnished with like means of education;" and as to whether the provision for the teaching in private schools to be in the English language before approval meant teaching in all branches or merely in the legally required branches. But the Court did not regard the interpretation of a mere statute as a "solemn occasion" requiring an advisory opinion.⁵⁸ Consequently the majority of the committee reported a bill

⁵⁵ *Ibid.*, pp. 31-86.

⁵⁶ *Sen. Doc.* 277, 1888.

⁵⁷ Conway and Cameron, pp. 86-204.

⁵⁸ 148 *Mass.*, 623.

specifying definitely that the instruction in English was to be merely in "all the studies required by law;" the exemption for attendance in unapproved private schools was phrased "if such child has been otherwise instructed for a like period of time in the branches of learning required by law to be taught in the public schools;" and it was further provided that each May the school committee should take a school census, with the attendance at school and the studies pursued in the English branches, and report it to the Board of Education.⁵⁹

This interfered in no wise with the teaching of religion in parochial schools and was no more than a reasonable attempt to make the compulsory education law accomplish its purpose. But Messrs. McEttrick and Keane presented an opposing minority report terming it "unnecessary, impracticable, and subversive of true education," demanded by a mere handful of men "from extreme, unwise, and sectarian prejudices against a large and well-behaved body of their fellow-citizens." The tone of the report is apparent from the following:

"Finally, it is impracticable, because the number of parents who would be fined, and glory at defending, at so trifling a cost, parental rights against what they rightfully consider state tyranny, would become so numerous that no party, be it ever so strong, could withstand for any length of time the wave of execration that would sweep over the land against the little puny mountain of bigotry that for a moment of temporary insanity disgraced the Commonwealth of Massachusetts."⁶⁰

But the bill became a law⁶¹ and the dire forebodings were forgotten, for in the case of *Commonwealth v. Frank Roberts* it was held that the above law was satisfied, if a child had attended a school not approved by the school committee, provided he could prove to the satisfaction of

⁵⁹ *H. Doc.* 504, 1889.

⁶⁰ *H. Doc.* 521, 1889.

⁶¹ *Acts*, 1889, chap. 464.

the Court that he had had proper and adequate instruction for the required period in the required subjects, either by a tutor, at home, or at an unapproved school.⁶² Approval of the private schools would then offer prima facie evidence that the requirements of the law had been met; otherwise the Court would decide the matter. The difficulty of prosecution under such a plan meant that the parochial schools need fear little interference by the state.

The demand for inspection was therefore primarily due to activity by those supporting a wider anti-Catholic movement; it was not intended by responsible officials that the state should in any way interfere with the religious teachings in the private schools and in fact they opposed inspection lest the state be drawn into closer relations with these schools; the law as passed compelled no one to attend schools with Protestant exercises if the Catholic church provided parochial schools giving the instruction in the required subjects.

From now on more attention to the statistics of the parochial schools appears in the *Annual Reports*. In the first year after the passage of the law a circular was sent out for the statistics as required by law. 20,000 were reported attending and it was conjectured there were as many more. The parochial schools were growing faster than the public ones.⁶³ In 1891 George A. Walton made a special report on parochial schools. He found there were 42,867 children between 5 and 15 years in parochial schools. He believed care should be given to the enforcement of the law requiring instruction in English, and recommended a license for all private schools, certification of teachers, inspection, register of attendance, and annual statistics to the city and state departments.⁶⁴ By 1900 the parochial school population had increased to 61,570 and it was estimated that the cost of educating the same children in the public

⁶² 159 Mass., 372-375.

⁶³ 54th Annual Report of the Bd. of Ed., 1889-1890, pp. 65-67.

⁶⁴ 55th Annual Report of the Bd. of Ed., 1890-1891, pp. 298-305.

schools would have been \$2,000,000 annually.⁶⁵ By 1905 the number of pupils had increased to 78,898 and thereafter the annual reports of Rev. Louis S. Walsh, supervisor of the schools in the Archdiocese of Boston, were included in the *Annual Reports*.⁶⁶ The curricula of these schools included the subjects prescribed by law for the public schools and religious instruction. Prizes were given for the best papers on the examination in Christian Doctrine, in which were asked questions on the Apostles' Creed, "the sign of the cross," "the mystery of faith," "the holy crucifix," the meaning of indulgences and festivals, and the methods and reasons for genuflexions.⁶⁷

Toward the close of the century two relics of the old Puritan system which had become obsolete were quietly dispensed with. In 1887 parishes and religious societies were forbidden to assess taxes on the polls or estates of their members.⁶⁸ In 1898 the old provision of the law of 1789 that it should be the duty of ministers to use their influence to keep the children in school was repealed.⁶⁹ The compulsory education law had made their activity unnecessary, but it marked a final separation of the schools from ecclesiastical influence and signified that the schools were really secular in their aims and administration.

Provided the Bible was read daily and no sectarian books were introduced, the local school committees had jurisdiction in prescribing more definitely the content of religious education provided in the public schools. In 1876 previous laws were repealed and the committees given the duty of prescribing a course of studies and exercises for the schools.⁷⁰ In 1888 the attitude of the Board of Education was that this permitted local communities to modify and arrange the compulsory studies to suit their own needs. Good be-

⁶⁵ *65th Annual Report of the Bd. of Ed.*, 1900-1901, pp. 199-209.

⁶⁶ *69th Annual Report of the Bd. of Ed.*, 1904-1905, p. 403.

⁶⁷ *66th Annual Report of the Bd. of Ed.*, 1901-1902, pp. 200-205.

⁶⁸ *Acts*, 1887, chap. 419.

⁶⁹ *Acts*, 1898, chap. 496, sec. 36.

⁷⁰ *Acts*, 1876, chap. 47.

havior in the list of compulsory subjects was considered to include all forms of proper moral instruction.⁷¹ This was the only required subject that might imply religious instruction, though in 1871 the Board had recommended that music be added to the list of compulsory studies, because, among other reasons, it inspired feelings of religion.⁷² Whether school committees could include subjects not authorized in the statute was not entirely clear. When Boston began the teaching of sewing the city solicitor took the position that it was illegal because unauthorized. The Secretary of the Board of Education believed that as it was not specifically prohibited and as there was a precedent for it in the dame schools it was not illegal.⁷³ But to make assurance doubly sure, an act was passed authorizing it and validating past teaching.⁷⁴ Similarly in 1911 instruction in first aid for the injured was similarly authorized.⁷⁵ It would seem that the injunction of the moral instruction law to teach piety and the past precedents of religious education in the schools would have justified any non-sectarian religious teaching. There would be no doubt of this after the law was phrased in 1898 to include "ethics and such other subjects as the school deem expedient" in the permissive list.⁷⁶ In the required list of high school subjects stood intellectual and moral science⁷⁷ from 1857 until 1898, when the organization of the curriculum was left to the school committee.⁷⁸ Secretary Dickinson in 1884 published a suggested *Elementary and High School Curriculum* as a guide to local committees. The nearest approach to anything of a religious character was systematic instruction throughout the course in manners and morals.⁷⁹ Secretary

⁷¹ *Sen. Doc.* 25, 1888.

⁷² *34th Annual Report of the Bd. of Ed.*, 1871, p. 6.

⁷³ *40th Annual Report of the Bd. of Ed.*, 1876, p. 83.

⁷⁴ *Acts*, 1876, chap. 3.

⁷⁵ *Acts*, 1911, chap. 247.

⁷⁶ *Acts*, 1898, chap. 496.

⁷⁷ *Acts*, 1857, chap. 206.

⁷⁸ *Acts*, 1898, chap. 496, sec. 2.

⁷⁹ *49th Annual Report of the Bd. of Ed.*, 1884-1885, pp. 96-122.

Dickinson advocated a type of morality which was secular rather than religious, for in 1890 he stated the common ends of the public school as being to train the mind to discover truth; to train the mind to consider truth to have a higher mental value than any other product; and to train the mind to choose the highest good. The state had no right to give any instruction regarding special forms of religious doctrine or worship, but the education did prepare the mind "to examine thoughtfully and conscientiously the doctrines and forms of belief that should regulate the spiritual life."⁸⁰

The local school committees also had general charge of all the public schools and were empowered to contract with teachers, after requiring "full and satisfactory evidence of their moral character."⁸¹ By this authority it was possible some religious influence might be exerted, particularly in determining the faith of the teachers selected. It is probable that economic motives and a desire to remove a possible cause of discrimination rather than a desire to affect the actual religious education in the schools led to a proposal in 1915 to make it illegal for officials to solicit from public school teachers any information as to religious belief or practice, or to furnish such information to others. The Attorney-General had previously ruled the application of such a rule to teachers' agencies would be unconstitutional and before passage of this law his opinion was sought. The Declaration of Rights prohibited religious tests for office holding and discrimination on the ground of religious belief and practices. He interpreted these declarations as directory and not mandatory, and left it to the General Court to determine how far it could go in accordance with them. He did not advise that the bill, if expedient, would be unconstitutional, except that the clause prohibiting furnishing the information to others interfered with private and not public acts and hence would deny to the officers the equal

⁸⁰ *53rd Annual Report of the Bd. of Ed.*, 1888-1889, p. 220.

⁸¹ *R. L.* 42, sec. 27; sec. 28; *Acts*, 1918, chap. 257, sec. 180.

protection of the laws. Subsequently the clause objected to was removed and a clause was added — “and no appointment to such a position shall be affected by political or religious opinions or affiliations.” This extended the principle to those with no religious belief and was held valid.⁸² In this meaning it was enacted in 1917.⁸³

The question might also arise as to the possible use of school buildings for religious educational purposes. Lowell in the middle of the century had decided that they might not be used for Sunday Schools or private schools.⁸⁴ Legislation was not specific until in 1911, when cities or towns were permitted to authorize the school committee to grant the temporary use of halls in school buildings for public or educational purposes, where no admission was charged and it did not interfere with school needs.⁸⁵ In the following year this was made mandatory on the committee where authorized, and the reference to admission fee was taken out.⁸⁶ This was to encourage the wider use of the school buildings and religious education was not especially involved. Later the whole question was left to the school committees, except in Boston, and they were allowed to permit the use of buildings for “educational, recreational, social, civic, philanthropic, and similar purposes as the committee deems best for the community.”⁸⁷ Speeches by candidates for public office were later specifically included under civic purpose.⁸⁸ This would appear not to have prevented the use of public school buildings for a community school of religious education under the auspices of several religious denominations, under the terms of the non-sectarian amendment. The effect of Article XLVI of Amendments, adopted in 1919, will be discussed later.

⁸² *Op. A. G.* IV, 418.

⁸³ *Acts*, 1917, chap. 84.

⁸⁴ *Supra*, p. 261.

⁸⁵ *Acts*, 1911, chap. 367.

⁸⁶ *Acts*, 1912, chap. 320.

⁸⁷ *Acts*, 1913, chap. 391; *Acts*, 1914, chap. 538.

⁸⁸ *Acts*, 1923, chap. 50.

No new principles in the relation of the state to religious education were put into practice in the period from 1855 to 1917, so far as the common schools were concerned. The Bible reading law was slightly modified so that no one could be compelled to read under conditions which violated his conscience, but he still had to be present during the reading. The state therefore still sanctioned a policy which might in some cases practically compel a person to receive a religious influence by the force of the state. Children must bow their heads during prayer if the teacher or committee required it, unless formal request was made by the parent to the contrary. But aside from this a system of secular ethics and morality was replacing the former Christian morality and direct instruction in the Christian religion became history. Where children attended parochial schools to avoid Protestant exercises and secure a sectarian religious education, the state refused to assume supervision or to license these, and merely secured a register of the attendance to help enforce the compulsory education law, required the regular subjects to be taught in English if approval was given as a substitute for public school attendance, and permitted proof on trial where the school was not approved. School committees had a slight power to provide an entirely non-sectarian religious education in the schools, but made little use of it. Absolute equality of religions was provided in choosing teachers. Instruction in piety and Bible reading were still required; non-sectarian religious instruction was permitted; but with these exceptions the schools were actually secular.

CHAPTER X

THE RELIGIOUS EDUCATION OF THE DEPENDENT, DEFECTIVE, AND DELINQUENT WARDS OF THE STATE

STATE provisions for religious education for those classes who because of personal inability of some character became the special wards of the state is also indicative of the principles on which the state acted in promoting religious education. From the Elizabethan Poor Law was inherited the principle of providing that paupers should, if children, be provided with religious instruction. The application of this principle in the colonial period has been described in connection with colonial education.

The statute of 1793 authorizing overseers of the poor to bind out pauper children required the teaching to males of reading, writing, and cyphering and such other instruction as the overseers thought reasonable. Females were to be taught to read and write.¹ This neither required nor made impossible instruction in religion. The children in the Lowell Almshouse in 1839 were required to attend Sunday School.² At this institution there was also an appropriation of \$100 for the year for religious instruction and part of it was devoted to the purchase of 10 Bibles and 20 Testaments.³ In the institutions for state paupers in 1856 Governor Henry J. Gardiner stated that religious services were held in one daily and in all on Sunday.⁴ If the re-

¹ *Acts, 1793*, chap. 59, sec. 4.

² *Rules and Regulations of the Board of Overseers of the Poor and of the Almshouse Establishment, Lowell, 1839*, p. 6.

³ *4th Annual Report of Receipts and Expenditures, Lowell, 1839*, pp. 10, 31.

⁴ *Debates and Proceedings in the Mass. Leg., 1856* (Boston, 1856), p. 380.

ligious instruction was not effectively provided everywhere, the state certainly was not opposed to the principle.

In the case of adult convicts religious education was hardly to be expected, but a law enacted in 1819 made it the duty of all keepers of jails and houses of correction to furnish every convict able and willing to read, with a copy of the Bible, and suitable moral and religious tracts, which could be procured from Bible societies or well-disposed persons, and to permit access to clergymen "who may be disposed to aid in producing the reformation of such convicts, and to instruct them in their moral and religious duties."⁵ The chaplain of the Massachusetts State Prison in 1831 reported that the prisoners gave better attention in the religious services and he believed many were really penitent and reformed. There were over 100 in the Sabbath School, taught by outside volunteers. This was then considered a novel and interesting experiment.⁶ Counties were authorized to provide, at their expense, for Bibles for convicts in jails and houses of correction in 1834,⁷ and for moral and religious instruction in 1848.⁸ Permission to establish a Sabbath School in the State Prison with voluntary instructors was granted in 1838.⁹ The Massachusetts Reformatory at Concord for men up to 40 was established in 1884 and an instructor, later called chaplain, was provided to "devote his whole time to the instruction of the prisoners and the promotion of their moral and religious well being."¹⁰ In providing for the binding out in domestic service of women confined in jails or houses of correction, it was specified it must be on terms "having regard to her welfare and reformation," but there was no mention of religious instruction.¹¹ This would in any event be hardly possible.

⁵ *Laws, 1818*, chap. 123, sec. 4.

⁶ *Sen. Doc. 4, 1832*, pp. 23-27.

⁸ *Acts, 1848*, chap. 29.

⁷ *Laws, 1834*, chap. 151, sec. 16. ⁹ *Laws, 1838*, chap. 152, sec. 3.

¹⁰ *Acts, 1884*, chap. 255, sec. 1, 27; *Acts, 1890*, chap. 255.

¹¹ *Acts, 1880*, chap. 151.

In the cases of the reform and industrial schools, which received a younger class of offenders, there was more definite provision for religious training. However, no religious instruction appears to have been required by the state in the House for the Reformation and Employment of Juvenile Offenders, in Boston.¹² But at the State Reform School at Westborough the trustees were to cause the inmates "to be instructed in piety and morality, useful knowledge, and a course of labor;" in binding out apprentices scrupulous regard was to be had to the religious and moral character of those to whom they were bound, in order to promote their improvement in virtue and knowledge; it was the duty of the superintendent to train his charges in "moral, religious, and industrious habits."¹³ A chapel was provided in the institution.¹⁴ Horace Mann said it resembled "in spirit and in purpose, the mission of Him who came to seek and to save that which was lost."¹⁵ The State Reform School for Girls, later called the State Industrial School for Girls, was founded on exactly the same principles.¹⁶ And in their execution a decidedly Christian influence was placed about the girls. In the first annual report it was stated:

"Here, certainly, is a missionary ground much nearer than China or Ethiopia. These children are not idolaters, but they are heathen in so far as any correct idea of the Christian's God is concerned. . . . The great object of the chaplain and matrons is to secure a living faith in the children that they are always in the presence of God."

To this end morning devotions were held daily. A typical Sunday included morning devotions consisting of hymns, Psalter reading, remarks, prayer, and the Lord's prayer together; in the afternoon there were devotional exercises, Scripture lesson, and a short sermon or incidents by the

¹² *Acts*, 1847, chap. 208.

¹³ *Acts*, 1847, chap. 165, sec. 1, 9, 10.

¹⁴ *H. Doc.* 2, 1854.

¹⁵ *12th Annual Report of the Bd. of Ed.*, 1848, p. 31.

¹⁶ *Acts*, 1855, chap. 442, sec. 1, 19, 20; *Acts*, 1856, chap. 60.

chaplain; evening prayers were conducted by the matrons. At the table the girls were encouraged to repeat a Bible verse. Frequently the whole company were in tears and confessions were common.¹⁷

As in the public schools, this religious training was of course of a Protestant character. With the increase in the Catholic population demands were made that Catholic wards of the state should not be placed under Protestant influence and ultimately this was made effective by legislation. There was difficulty in connection with placing out the children from the industrial schools as apprentices and the law was finally repealed.¹⁸ In 1904 the following provision was made concerning placing children out on probation:

"The trustees shall bind out children in families or homes of the religious belief of such children, but, if this be impracticable, then due regard shall be had to the locality, and, if practicable, the home shall be such that the children shall have the opportunity to attend religious worship of their own belief."¹⁹

The same question arose in the case of destitute and abandoned children. In 1904 the State Board of Charity decided in placing out children to follow the principle that it was the constitutional right of every citizen and his family while under the wardship of the state "to have the consolation of instruction in their religion, and to worship God according to the dictates of their conscience."²⁰ In the following year a statute prohibited denying to a parent whose child was in the control of any state department the right of the child to a free exercise of religion according to the religion of the parents, nor should the right be denied to a minor child.²¹

Judicial interpretation of the above was given in the case of Kate Jamrock, illegitimate child of an unmarried mother, who was Roman Catholic and had had the baby baptized.

¹⁷ *H. Doc.* 20, 1857.

¹⁸ *Acts*, 1918, chap. 257.

¹⁹ *Acts*, 1904, chap. 363, sec. 2.

²⁰ 195 *Mass.* 190-191.

²¹ *Acts*, 1905, chap. 464.

The child had been taken by the state on the ground of "neglect, crime, drunkenness, or other vice." The Purintons petitioned for adoption and intended to educate the child in a different faith. The mother and the State Board of Charity objected. The Court took the position that the statute protected the right of the child and not the mother, and that while the parent's religion was *prima facie* that of the child, the infant's welfare was paramount. The petition was granted, but it did not release the child from the custody of the State Board until they saw fit to do so.²² When the Purintons petitioned the State Board to release Kate to their care, the opinion of the Attorney-General was requested and he met the difficulty by saying the statute "evidently intended to provide that the child should not be denied the free exercise of the religion of her parents when she is of sufficient understanding to choose for herself." The Board might use its discretion to release the child or keep her until of age. When released the adopted parents would get custody.²³ The statute itself was ambiguous and the decisions hardly made it easier to administer; but undoubtedly the general principle was followed.

It was also provided that inmates of prisons, jails, houses of correction, or public charitable or reformatory institutions should have freedom of worship, but this did not at first prevent summoning all to the chapel for general religious instruction, including the reading of the Bible.²⁴ But in 1904 prisoners were released from attending this general instruction, provided such services or instruction of his own faith were held in the institution and attended by him.²⁵ Appropriations were provided to furnish this instruction and worship.²⁶

The state has also paid for the education of the deaf,

²² 195 *Mass.* 188, 199, 200, 202.

²³ 3 *Op. A. G.* 124-126.

²⁴ *Acts*, 1875, chap. 126; *Acts*, 1879, chap. 158.

²⁵ *Acts*, 1904, chap. 363, sec. 1.

²⁶ *Acts*, 1912, chap. 562.

dumb, and blind in institutions where religion was taught. At Gallaudet's American Asylum at Hartford there were Scripture lessons and religious instruction for all classes; at the Perkins Institution there was no sectarianism, but love to God and man was taught and the Bible was read daily without note or comment; at the Clarke Institution for the deaf the Scriptures were daily read and explained.²⁷

Thus the dependent, defective, and delinquent wards of the state always received more or less religious education. At first this was of a Protestant character, but later provision was made that no one should be compelled to attend such instruction in other than his own faith, and in placing out children an attempt was made to keep them in homes of the faith of the parents.

²⁷ *39th Annual Report of the Bd. of Ed.*, 1874-1875, pp. 150-154, 158, 160, 173.

CHAPTER XI

THE FINAL SETTLEMENT OF THE SECTARIAN ISSUE

THE settlement made of the question of sectarian appropriations in 1855 by Article XVIII of the Amendments was satisfactory in the end to neither Protestants nor Catholics. To the Protestants it was unsatisfactory because it avoided the use of sectarian and left the way open to appropriations to Catholic institutions which were not classified as common schools. To the Catholics it seemed unfair to forbid appropriations to common schools not publicly administered and leave the way open for appropriations to colleges and academies under denominational administration. But more than this, there was a desire at the beginning of the 20th century to reopen the whole question and secure a place for the parochial schools in the public system of schools. The Catholics of the state then numbered over 1,000,000 people, over one third of the population of the state, and estimated that they were saving the state \$10,000,000 in school property and \$2,000,000 in the annual expenses. With the advent of woman suffrage, it was hoped to use their plants and personnel in some compromise arrangement by which the Catholics alone would not have to support the parochial schools. But of course sectarian religious instruction in them would be insisted on. A further development of the Lowell plan, putting the parochial schools under public administration but permitting nuns to teach religion in them would probably have been most satisfactory to them.¹ Such an arrangement would not have been affected by the Article XVIII, which did not forbid teaching denominational doctrines in schools under

¹ Walsh, *The Early Irish Catholic Schools of Lowell*, pp. 15, 18-20.

public control. It would probably have required the repeal of the law of 1827 against the use of sectarian books; but it must be remembered that oral instruction was not specifically prohibited by that law. At any rate, the repeal of the law might be considered possible. If the Catholics thought of this possibility under the Article XVIII, the Protestants naturally thought of avoiding it.

In 1896 and 1897 a proposed constitutional amendment was presented to the General Court on petition of Fred Hanson. The situation in New York and Pennsylvania, where public money was going to Catholic institutions, was an immediate cause. Professor Henry S. Nash of the Episcopal Divinity School at Cambridge became a leader in the movement, which was not secret, and was of a wider character than the A. P. A. organization.² The proposed amendment was wider than an educational measure and would absolutely prohibit public money to any ecclesiastical organization or any institution wholly or in part under its control. Schools were not specifically mentioned.³ A question arose in the House as to whether this would prevent the use of school buildings for public worship, if granted equally to all denominations and sects, and the Attorney-General, assuming that a sectarian use was meant, answered that the amendment was not directed against discrimination as between sects, but against any sectarian use and therefore sectarian use by all sects equally would violate it.⁴

² *Debates in Mass. Constitutional Convention, 1917-1918, I, p. 77.*

³ *H. Doc. 428, 1897.* The text of the amendment follows:

"No law shall be passed respecting an establishment of religion, or prohibiting the free exercise thereof, nor shall the state or any county, city, town, village or other civil division use its property or credit or any money raised by taxation or otherwise, or authorize either to be used, for the purpose of founding, maintaining or aiding by appropriation, payment for services, expenses, or in any other manner any church, religious denomination, or religious society, or any institution, society or undertaking which is wholly or in part under sectarian or ecclesiastical control."

⁴ *Report of Atty.-Gen., Yr. Ending Jan. 19, 1898.* Decision Apr. 2, 1897.

The same rule would necessarily apply to use for religious education as for religious worship.

After 1900 this amendment was presented to the General Court annually, with specific mention of the word school, except in 1905-1906.⁵ The Attorney-General in 1908 answered a question of the House as to whether such appropriations were then legal by saying that all taxation must be for a public purpose and, though tax exemptions for religious societies and churches might be granted, direct appropriations to them would not constitute a public purpose. Appropriations might be made to higher educational institutions not publicly controlled, but if they were under direct sectarian or ecclesiastical control and principally for that sect, he did not believe they constituted a public purpose.⁶ This opinion, of course, had no legal binding force, and in any event endless discussion and litigation would be expected in drawing the line between sectarian and public purposes. But in the same year the Supreme Judicial Court gave an advisory opinion on the constitutionality of a low tax rate for intangibles, in the course of which they justified exemptions on property devoted to instruction in piety, religion, and morality on the ground that the Article III of the Bill of Rights and Article XI of Amendments authorized taxation to procure property for these purposes. If taxation was proper, the lesser exemption was proper.⁷ This view was more in accord with the historical Massachusetts practice and the language of the Declaration of Rights certainly indicated that in Massachusetts the support of religious institutions was considered to be a public purpose. Under this interpretation appropriations to the College of the Holy Cross were permissible.

When the proposed amendment was under consideration in 1913 the General Court asked an advisory opinion as to whether the constitution then adequately prohibited the es-

⁵ *Appropriations for Sectarian and Private Purposes*, pp. 25-27.

⁶ *H. Doc.* 1467, 1908.

⁷ *Opinion of Justices*, 195 *Mass.* 607, 608.

tablishment of a particular religion or the restraining of the free exercise of any particular religion; and as to appropriations prohibited by the proposed amendment then being adequately prohibited; and as to whether the passage of the proposed amendment was necessary to accomplish the purposes there indicated. The first question was answered in the affirmative. All agreed that Article XVIII was intended to preserve in its integrity the public school system, and that it did not apply to colleges and universities. Hence funds might be appropriated for "higher educational institutions, societies, or undertakings under sectarian or ecclesiastical control." As to appropriations for aiding a church, religious denomination, or religious society, three Justices agreed with the Chief Justice in the affirmative, and three disagreed.⁸

The first legislative roll call on the proposed amendment was in 1912, when it mustered only 16 votes. In 1914 Mr. Lomasney, a leading Catholic politician of Boston, but not a representative of the real attitude of the Catholic church, introduced a substitute which was political rather than ecclesiastical in origin. It would follow the precedent of 1855 and avoid the sectarian issue by making it apply to all institutions not established by ordinance, statute, or by-law of a political unit. For several years both of these proposals were before the legislature.⁹ By this time the original proposal had come to be known as the Batcheller amendment, and in 1915 it was in the field against several other proposals.¹⁰ In addition to the Lomasney proposal there was one of Fred W. Cross which followed the plan of prohibiting appropriations to any other than public institutions, but excepted payment for services in a private hospital and contractual obligations already assumed.¹¹ When the committee reported unfavorably on his amend-

⁸ *Opinion of Justices*, 214 Mass. 599-602.

⁹ *Appropriations for Sectarian and Private Purposes*, pp. 25-29.

¹⁰ *H. Doc.* 1353, 1915; *H. Doc.* 820, 1915.

¹¹ *H. Doc.* 952, 1915.

ment, Lomasney tried on the floor to get it substituted for the report, and though supported by the Donahues of various spelling, the Mcs., and Sullivans and Murphys, he lost 111-116. The Cross proposal received the same treatment. The Batcheller non-sectarian amendment was refused third reading 107-115, with a solid phalanx of Irish opposition.¹² Just before the final debate Secretary Charles T. Daly of the Federation of Catholic Societies of Massachusetts sent a letter to the members of the General Court stating that the Batcheller amendment was sponsored by those who claimed to desire an absolute separation of church and state, but were affiliated with a "notorious, secret, political organization." It was characterized as "unnecessary, uncalled for, and unjustifiable" and aimed at Catholic educational and religious institutions which sought no aid, "a deliberate and gratuitous insult" to the Catholics, who constituted about 35% of the citizenship of the state.¹³ The *Pilot*, the official Catholic organ, referred after the defeat of the measure to the rancorous debate and asserted it was impossible for the most violent bigots to pass it "to harass Catholics, to insult them by branding them as prospective looters of the public treasury."¹⁴ Doubtless the meaning of this was that it was not looting the public treasury when taxes paid by Catholics were devoted to Catholic schools and taxes paid by Protestants were devoted to Protestant schools. Here the Catholic and Protestant could not use the same terms with the same meaning.

Acute discussion on the subject came next in connection with the constitutional convention called in 1917 primarily to make effective in Massachusetts some of the proposals of direct democracy which centered around the Progressive Party of 1912. But the sectarian issue was always in the background and ultimately it came to hold as much popular interest as any of the proposals. As one reason for oppos-

¹² *Journal of the House*, 1915, pp. 934-938.

¹³ *The Pilot*, Apr. 10, 1915.

¹⁴ *Ibid.*

ing the convention former Attorney-General Pillsbury gave the fact that the sectarian issue had been so recently discussed in the legislature.¹⁵ Former Lieutenant-Governor Robert Luce called it a "mischievous and embarrassing factor" in state politics and thought it would ultimately be necessary to prohibit to all institutions not controlled by the state, the Lomasney idea.¹⁶ Politicians wanted to get it out of the way, for it was likely at any time to swing a state election.

As the campaign for delegates came on it was apparent that the sectarian issue would be in the forefront. The Boston Congregational Ministers' Association, representing 150 churches, adopted resolutions calling for the absolute separation of church and state and supporting the principle of the Batcheller amendment.¹⁷ The American Minute Men was an organization working particularly for the election of delegates pledged in favor of the amendment. Cards were distributed in churches and signers were to be kept informed as to which candidates for election as delegates were favorable. It was reported that the chief denominational help came from the Baptists, the Methodists were next, and the Congregationalists not so strongly in favor.¹⁸ It was expected that the Minute Men would support the initiative and referendum, along with the Democrats and the Hearst following, in order to use it if necessary to get the non-sectarian amendment before the voters.¹⁹ The Massachusetts Federation of Patriotic and Good Government Clubs also indorsed candidates at large, apparently to signify these men were favorable to the amendment.²⁰ Catholics were also advised to study the records of candidates, because "big-ots" were trying to put through the non-sectarian amend-

¹⁵ *The Boston Herald*, Oct. 23, 1916.

¹⁶ *The Boston Transcript*, Nov. 18, 1916.

¹⁷ *The Boston Journal*, Jan. 23, 1917.

¹⁸ *The Springfield Union*, Mar. 13, 1917.

¹⁹ *The Boston Journal*, Apr. 30, 1917.

²⁰ *The Boston Transcript*, Apr. 30, 1917.

ment.²¹ Former Governor Foss facetiously said he ought to run well on the issue because "I have appointed more Irish Catholic judges than any other governor, and yet I figuratively spanked the cardinal at the 17th of March dinner of the Irish Charitable Society."²²

After the convention met the committee on the Bill of Rights held a hearing on June 26 on the three amendments which were proposed to deal with the issue. There was the Lomasney amendment, the most drastic and prohibiting funds to all institutions not under government control, except in case of war; there was the George amendment of largely the same character; and there was the non-sectarian amendment, backed by Fred L. Anderson, Baptist, of the Newton Theological Institution; by former Lieutenant-Governor Grafton D. Cushing, who had been defeated by Governor McCall for nomination for governor in a fight between the A. P. A. and the Catholics in this issue; and by Frank J. Batcheller, field agent of the Minute Men.²³ Lomasney compared the extent of aid which had been given to Protestant and Catholic institutions and said it ought to be prohibited to all if any. Anderson supported the non-sectarian amendment on the grounds that it safeguarded religious liberty and took no money from all for one; that it would take a debatable issue out of politics; that it would safeguard the spirituality of the church; and that it would save state money and unseemly scrambles.²⁴ David Mancovitz, a Hebrew, would prohibit for any private purposes, and pointed out that Anderson had opposed the passage of the law forbidding school authorities from asking the religious belief of prospective teachers.²⁵ Opposition was voiced by the Worcester Polytechnic Institute where three members of the board of trustees had to be ministers and the Y. M. C. A. held ser-

²¹ *Ibid.*, quoting *The Pilot* of Apr. 28.

²² *Ibid.*

²³ *The Boston Advertiser*, June 23, 1917; *The Boston Herald*, June 23, 1917.

²⁴ *The Christian Science Monitor*, June 27, 1917.

²⁵ *The Boston Advertiser*, June 28, 1917.

vices twice a week in the gymnasium, lest it invalidate an agreement for state aid if the college raised a certain sum.²⁶

The committee reported an entirely new form of amendment which in its essential principles followed the Lomasney idea. It repeated Article XVIII, and extended the principle to all types of institutions, with numerous specific exceptions, particularly in the matter of health, and charity. But it absolutely prohibited any state support of religious education of a doctrinal character.²⁷

The press comment on this form was generally favorable. The *Boston Transcript* expressed itself as grateful and satisfied, and believed the bargain should be kept even though Massachusetts Institute of Technology and Worcester Polytechnic Institute were cut off.²⁸ But Anderson believed

²⁶ *The Boston Transcript*, June 28, 1917.

²⁷ *Debates in Mass. Constitutional Convention, 1917-1918*, I, p. 44. The text of the amendment was as follows:

"Article XVIII. No law shall be passed prohibiting the free exercise of religion; and all moneys raised by taxation in the towns and cities for the support of public schools, and all moneys which may be appropriated by the state for the support of common schools shall be applied to, and expended in, no other schools than those which are conducted according to law, under the order and superintendence of the authorities of the town or city in which the money is expended; and no grant, appropriation or use of public money, or property, shall be made or authorized for the purpose of founding, maintaining or aiding any school or institution of learning wherein any religious doctrine is taught, or any other school, or any college, infirmary, hospital, institution or undertaking which is not conducted according to law, under the exclusive control, order and superintendence of public officers and agents authorized by the legislature; except that appropriations may be made for the maintenance and support of the Soldiers' Home in Massachusetts, for public libraries open to the public in any city or town; and no such grant, appropriation or use shall ever be made or authorized for the purpose of founding, maintaining or aiding any church, religious denomination or society; but nothing herein contained shall be construed as limiting the power of the legislature to authorize the performance through contract of the necessary functions of government respecting public health, or the care and maintenance of such persons as may, in whole or in part, require support at the public charge."

²⁸ *The Boston Transcript*, July 6, 1917.

this form would be defeated at the polls,²⁹ and a speech of Monsignor Roche at Watertown seemed to indicate that the Catholic church really wanted sectarian appropriations and would oppose it.³⁰ Hence Anderson and a few other members of the committee reported a minority form of amendment,³¹ which was held in reserve while he conducted a long and skillful fight to put the majority proposal in a form that he believed would be passed and be effective. The Anderson form would absolutely have prohibited funds to any educational institution with the slightest degree of

²⁹ *The Boston Advertiser*, July 7, 1917.

³⁰ *The Boston Transcript*, July 16, 1917.

³¹ *Debates*, I, pp. 44, 45. The text follows:

"Article XVIII. No law shall be passed respecting an establishment of religion or prohibiting the free exercise thereof, nor shall the state, county, city, town or any civil division use its property, or credit, or any money raised by taxation or otherwise, or authorize any of them to be used, for the purpose of founding, maintaining, or aiding by appropriation for in any other manner any church, religious denomination or religious society, or any institution, society, undertaking, school or higher institution of learning which is wholly or in part under the control of a religious body or a religious corporation, whether such complete or partial control be explicitly expressed in the charter, by-laws, or other such writing by some provision that all or any of the governing or managing bodies must or may be members of a specified religious body or society or must or may be appointed by a specified religious body, corporation or authority, or whether, if the control be not thus explicitly expressed, it be due to the fact that a majority of the governing or managing bodies are members of one religious body or society or are appointed of one religious body, corporation or authority. Nor shall the state, county, city, town or any civil division use its property or credit or any money raised by taxation or otherwise or authorize any of them to be used, for the purpose of founding, maintaining or aiding by appropriation or in any other manner any school or higher institution of learning, whether under public or private control, in which the distinctive tenets of any religious body are taught or propagated: *provided*, that nothing contained in this section shall be held to deprive any inmate of the publicly controlled charitable, reformatory or penal institutions of the opportunity of religious exercises of his own faith, but no inmate shall ever be compelled to utilize religious opportunities of any kind against his will, or, if a minor, without the consent of his parents or guardians."

sectarian or denominational control and would have prevented support of any institution teaching the distinctive tenets of any religious body, whether under public or private control. It made clear that if the parochial schools should ever come into the public system, Roman Catholicism could not be taught. The religious freedom of prisoners and dependent children was also clarified and protected.

The debate in committee of the whole was entirely good natured. The chairman of the committee on Bill of Rights, Mr. Curtis of Boston, said Mr. Bird of Walpole in the former convention of 1853 asserted the correct principle and that it was now desired to go to the logical conclusion.³² Meantime on July 18 Joseph Walker and Matthew Hale, leaders in the movement for the initiative and referendum, fearing lest divisions on the sectarian issue would react on their proposals, promoted a compromise conference attended by Bishop Lawrence, Episcopalian; President Lowell of Harvard; Cushing and Anderson; and John W. Cummings of Fall River, a Roman Catholic layman and personal attorney of the Cardinal, who represented the official attitude of the church.³³ This created new discussions and threatened to throw a wrench in the machinery. Anderson kept getting new concessions from the committee and there was a story the Republicans wanted to get it out of politics so it would not affect elections.³⁴ The *Boston Advertiser* believed the sectarian amendment should be put plainly and other institutions should not be harmed. It favored aid to Harvard and similar institutions, but not sectarian appropriations.³⁵ It appeared that Anderson was holding out particularly for the insertion of his clause prohibiting funds to public or private schools in which the distinctive tenets of any religious body were taught.³⁶

³² *Debates*, I, pp. 50-70.

³³ *The Boston Transcript*, July 18, 1917.

³⁴ *The Boston Advertiser*, July 23, 1917.

³⁵ *Ibid.*, July 20, 1917.

³⁶ *Ibid.*, July 24, 1917.

There was an important debate on July 24, when a new draft presented by Chairman Curtis passed the committee of the whole.³⁷ This changed religious doctrines to denominational doctrines so that religion in the public schools would not be so prohibited as to make them atheistic or agnostic. A new paragraph on charities was included and also Anderson's paragraph on inmates of state institutions and dependent children. Anderson withdrew his minority report, promising to vote for the other if it were not unfavorably amended but reserving the right to improve it by amendment. He announced it gave to opponents of sectarian appropriations all they wanted and he did not wish to play into the hands of those who wished to kill it. He had also received promises of support for it from influential men and newspapers. He maintained the proposition that the state should compel no act in the sphere of religion, the historical Baptist position, and said it was intolerable for a Protestant, Catholic, Jew, or agnostic to have to pay his good money for the support of another religion in an educational institution.³⁸ Mr. Callahan of Boston believed they must draw the line against the academies, some of which received aid from the towns, because they had different religious exercises from the public schools, though they were not really sectarian.³⁹ The most significant speech was that of Cummings of Fall River, in which he pointed out the expense of the parochial schools and said he believed an arrangement might be made to have them a part of the public school system. He was not willing to tell Catholics to vote for this amendment. This speech was the first disclosure of the real position of the church. On the other hand, William H. Sullivan of Boston would put out the fires which had been lighted and bring all the people into harmony.⁴⁰ In the debate the word denominational was

³⁷ *Ibid.*, July 25, 1917; *The Boston Transcript*, July 24, 1917.

³⁸ *Debates*, I, pp. 72-77.

³⁹ *Ibid.*, p. 81.

⁴⁰ *Debates*, I, pp. 91-101.

interpreted by the committee to prevent the teaching of atheism and agnosticism.⁴¹

Many amendments had to be disposed of. Mr. Bryant of Milton and Mr. Washburn of Worcester fought for recognition of the legal obligations assumed by the state in promising aid to Massachusetts Institute of Technology and Worcester Polytechnic Institute, provided they would raise certain sums; while Mr. Boyden of Deerfield, principal of a small academy, pleaded for those institutions, Lomasney opposed all concessions and said if moral obligations were put in, he would include parochial schools under moral obligations.⁴²

On August 15 Anderson made a speech warmly supporting the committee amendment. He said he had not been able to find a "joker" in it and was convinced of the absolute sincerity of his colleagues on the committee. He said it was the most popular issue of the convention. Practically all the Methodists favored it, the Congregational assembly of the state adopted resolutions for it, the Unitarians and Baptists felt the same. He had never found a Protestant clergyman or a Jew not in favor. 100,000 voters had signed Minute Men cards. The Catholic followers of Lomasney thought the original amendment excluded all Catholic but not all Protestant institutions, but they believed in the separation of church and state. He complimented Lomasney on the fair compromise and said if it were not passed he would have to urge the old non-sectarian amendment.⁴³ Mr. Pelletier would refuse the academies because they had Scripture reading in the morning and sang hymns.⁴⁴

After the phraseology had been changed to forbid aid to schools where denominational doctrines were taught, by adding "whether under public control or otherwise," in order to make more clear that such teaching was prohibited in the public schools; to make clear that institutions re-

⁴¹ *Ibid.*, I, p. 105.

⁴³ *Ibid.*, I, pp. 159-173.

⁴² *Ibid.*, I, pp. 72-143.

⁴⁴ *Ibid.*, I, pp. 187-189.

ceiving public aid must be publicly owned as well as administered; to add to the exceptions legal obligations already incurred, with reference particularly to the technical schools, the amendment on August 22 received a vote of 275-25. Cummings voted against and asked a roll call. One Catholic termed it a "gratuitious insult to the Catholics," who never asked or expected educational money for parochial schools. The *Boston Transcript* called it a "constructive and just way to carry the sectarian issue out of politics."⁴⁵ To the *Pilot*, the Catholic organ, it was "an unworthy compromise," and the whole agitation had been due to ignorant prejudice and racial religious hatred. They blamed the third party of compromise, by which they must have referred among others to Lomasney, for interfering in a fight between bigots and honest citizens, and closing the doors against everybody. They believed nobody was satisfied, the question had only been opened, and they had been flagrantly insulted.⁴⁶

Complications arose later because an amendment permitting taxation for educational institutions had been offered by the committee on education.⁴⁷ On October 4 an attempt was made to straighten out the tangle, with Lomasney and Anderson fighting shoulder to shoulder for the integrity of the compromise arrangement. Lomasney said only nine Catholics had followed Cummings in opposition to the amendment, and though he wanted the parochial schools to get public money some time, the Catholics had been able to get along all right without aid. If aid were to be given now, the Jews should also be recognized. The educational amendment would give aid to institutions as Protestant as the parochial schools were Catholic. Anderson supported Lomasney and thought the majority of the Catholics would because they wanted religious liberty. But Cummings favored the educational amendment and opposed the other.

⁴⁵ *The Boston Transcript*, Aug. 22, 1917.

⁴⁶ *The Pilot*, Sept. 22, 1917.

⁴⁷ *The Boston Transcript*, Sept. 28, 1917.

As a way out Anderson moved a tax exemption in favor of educational institutions, instead of the authority to tax for their benefit.⁴⁸ After amendments had been voted down, one to include parochial schools with other educational institutions to have the benefit of taxation, and after a proposal to include Jewish schools had been carried, the Anderson tax substitute was passed and the matter ended. It still left in the constitution the special mention of Harvard in Chapter V, an innocuous provision.⁴⁹

The new amendment was submitted to the electorate in the 1917 election, and became a leading issue. Typical of the varied elements which had been secured by the compromise arrangement, it was supported at a mass meeting at Ford Hall in Boston just before election day by Curtis; Garland, a Catholic; Stoneman, a Jew; and Anderson.⁵⁰ It received the support of the *Boston Herald*.⁵¹ The vote on November 6, 1917, showed 206,329 in favor and 130,357 opposed.⁵²

⁴⁸ *The Boston Transcript*, Oct. 4, 1917; *The Boston Herald*, Oct. 4, 1917.

⁴⁹ *The Boston Advertiser*, Oct. 5, 1917.

⁵⁰ *The Boston Herald*, Nov. 1, 1917.

⁵¹ *Ibid.*, Sept. 27, 1917.

⁵² *Debates*, I, p. 230. The amendment was known as Article XLVI and reads as follows:

"Section 1. No law shall be passed prohibiting the free exercise of religion.

Section 2. All moneys raised by taxation in the towns and cities for the support of public schools, and all moneys which may be appropriated by the commonwealth for the support of common schools shall be applied to, and expended in, no other schools than those which are conducted according to law, under the order and superintendence of the authorities of the town or city in which the money is expended; and no grant, appropriation or use of public money or property or loan of public credit shall be made or authorized by the commonwealth or any political division thereof for the purpose of founding, maintaining or aiding any school or institution of learning, whether under public control or otherwise, wherein any denominational doctrine is inculcated, or any other school, or any college, infirmary, hospital, institution, or educational, charitable or religious undertaking which is not publicly owned and under the exclusive control, order and superintendence of public

The effect of the settlement of the sectarian issue may now be observed in its relation to state promotion of religious education. It prevented the parochial schools ever becoming a part of the educational system or receiving state aid, while they taught any denominational doctrine. It made it unconstitutional for cities or towns to appropriate to any academy not under the order and superintendence of the school committee, or to pay tuition of pupils there.⁵³ It deprived all colleges and academies of any aid except a tax exemption on their property,⁵⁴ and such appropriations to the two technical schools as were promised for a few more years by resolves in 1911 and 1912, which the Attorney-General held constituted legal obligations, such that it would be an impairment of contract not to fulfil them.⁵⁵

In relation to the common schools, the chief change was to make constitutional rather than merely statutory the prohibition of sectarian teaching. It now includes any de-

officers or public agents authorized by the commonwealth or federal authority or both, except that appropriations may be made for the maintenance and support of the Soldiers' Home in Massachusetts and for free public libraries in any city or town, and to carry out legal obligations, if any, already entered into; and no such grant, appropriation or use of public money or property or loan of public credit shall be made or authorized for the purpose of founding, maintaining or aiding any church, religious denomination or society.

Section 3. Nothing herein contained shall be construed to prevent the commonwealth, or any political division thereof, from paying to privately controlled hospitals, infirmaries, or institutions for the deaf, dumb or blind not more than the ordinary and reasonable compensation for care or support actually rendered or furnished by such hospitals, infirmaries or institutions to such persons as may be in whole or in part unable to support or care for themselves.

Section 4. Nothing herein contained shall be construed to deprive any inmate of a publicly controlled reformatory, penal or charitable institution of the opportunity of religious exercises therein of his own faith; but no inmate of such institution shall be compelled to attend religious services or receive religious instruction against his will, or, if a minor, without the consent of his parent or guardian."

⁵³ *Op. A. G.* 1918, p. 39.

⁵⁴ *G. L.*, chap. 59, sec. 5.

⁵⁵ *Op. A. G.* 1919, p. 10.

nominal teaching whether by textbook or otherwise, and this is understood to prevent the teaching of atheism and agnosticism, but the word denominational was used particularly to make clear that the teaching of Christianity was not prohibited so long as it was not denominational. Hence Bible reading is still compulsory⁵⁶ and prayer and instruction in the fundamentals of Christianity may easily be justified under the statute requiring the teaching of piety. The exact amount of religion in the public schools is determined by the local committees, and they have authority to approve parochial schools as a substitute for public school attendance. In Springfield it is only provided that a portion of the Bible shall be read at the opening session.⁵⁷ All the parochial schools are approved.⁵⁸ In Worcester the state law is quoted and it is recommended that the reading be followed by repetition of the Lord's prayer by pupils and teacher.⁵⁹ Here also all parochial schools are approved.⁵⁸ The practice in Fall River is to have a daily reading from the Bible, or the recitation of either the Lord's prayer or a psalm. Almost all parochial schools are approved, but two have been informed that their standard must be improved to retain approval.⁵⁸ In Haverhill the only religious education is that prescribed by the statutes of the Commonwealth and parochial schools are not all approved.⁵⁸ The Brockton committee had nothing to do with parochial schools and the local regulations prescribe the reading of the Bible and the use of the Lord's prayer at the opening of school.⁵⁸ The above indicates that the religious content of the public schools is now in practice little more than the bare reading of the Bible required by statute. In most cases parochial schools are approved by the school committee, but this has no effect on the religious

⁵⁶ *General Laws Relating to Education, 1921*, p. 38. The only other states making Bible reading compulsory are Pa., N. J., Tenn., Ga., and Ala. — *Bureau of Education Bulletin, 1923, No. 15*.

⁵⁷ *School Committee Rules and Regulations, Springfield, 1923*, p. 22.

⁵⁸ Statement by Superintendent.

⁵⁹ *Rules and Regulations, Worcester, 1923*, p. 29.

education, and refusal of approval does not necessarily prevent them fulfilling the requirements of the attendance law for children of school age.

The Attorney-General has ruled that the new amendment did not prohibit appropriations for Catholic, Protestant, and Jewish clergymen for religious instruction at state penal and charitable institutions, because they were not schools or institutions of learning and were under public officers, and because it was provided that any inmate should have the opportunity of religious exercises of his own faith.⁵⁹ Chaplains of these faiths are therefore employed by the state, as well as a Christian Science reader, and they advise as well as conduct services. But the amendment made it impossible to compel anyone to attend any services. In jails and houses of correction the rules adopted by the Commissioner of Correction state that services shall be provided and prisoners urged to attend those suitable to their belief, but spiritual interest rather than compulsion must be relied on to secure attendance.⁶⁰ At the State Prison there is a Catholic chaplain assisted by Protestant, Jewish, Christian Science, and Episcopalian aids.⁶¹ A Bible class has been conducted in the Massachusetts Reformatory.⁶² During the year 1922 there was expended for instruction in the Massachusetts Training School for religious instruction the sum of \$5,331.76. In the Industrial School for Girls there were 48 Catholic confirmations and eight Episcopalian.⁶³ In the institutions for mental defectives there are state-paid Catholic, Protestant, and Jewish chaplains, but there is no religious instruction apart from the regular services. In placing out dependent children, they are placed in homes of their faith and it is the policy of the super-

⁵⁹ *Op. A. G.* 1920, p. 100.

⁶¹ *Rules for Jails and Houses of Correction*, 1921, p. 8.

⁶² *Annual Report of the Commissioner of Correction, Yr. Ending Nov. 30, 1922*, p. 29.

⁶³ *Ibid.*, p. 53.

⁶⁴ *Annual Report of the Trustees of the Mass. Tr. Schools, Yr. Ending Nov. 30, 1922*, p. 11.

visory officers to have the foster mother see that they go to church and Sunday School. Parents signify the faith preferred and there are no refusals to allow attendance.

The sectarian issue has therefore now been settled in such a way that no state money is now available for sectarian or denominational instruction anywhere except in the case of those who are wards of the state, and here it is provided on the same basis as any necessities of life and there is absolutely no compulsion. In the public schools the absolute separation of church and state is hardly complete so long as there is compulsory Bible reading, though even here pupils may be excused at the request of the parent from taking a personal part.

CHAPTER XII

PRESENT ATTITUDE OF RELIGIOUS GROUPS ON CHURCH AND STATE COÖPERATION

As THE movement for the exclusion of denominational religious educational work in the public schools has developed, the religious leaders have recognized the obligation on the churches to provide a more adequate religious education and the question has arisen as to the extent of coöperation with the state which is proper in the utilization of the time and the material equipment available for the complete education of the child. This has been a nationwide rather than state problem, and has been brought nearer solution in other states than in Massachusetts. Something of the attitude of various religious groups to this problem will be shown, and the present views and practice in Massachusetts.

The Catholic Church early recognized the necessity of a religious education by the church which should extend throughout the week. A closer coöperation with the state was desired than was possible, after the parochial system had been established. Cardinal Gibbons would have been glad to have had these schools reserved for Catholic children, but with state supervision in regard to texts, discipline, class work, and sanitary regulations; teachers appointed by certificate as in all schools, but of the Catholic faith; instruction in religion before and after school hours if necessary and state support in proportion as the parents were Catholic or Protestant citizens. This assumed a parallel system of Protestant schools.¹ Such a division was impossible in the American democracy.

¹ Will, I, pp. 472-480.

A practical attempt to put into practice something of the above idea was the Faribault plan sponsored by Archbishop Ireland in Minnesota.² The plan met both Catholic and Protestant opposition, but at a meeting of the Archbishops at St. Louis in 1891 it was given approval and Archbishop Williams of Boston said he hoped to see the plan put into operation in some of the schools of his diocese. Papal approval was ultimately given.³ In 1892 the Archbishops met in New York and Papal Delegate Satolli put forth official propositions, later confirmed by the Pope, stressing the importance of parochial schools, but leaving the way open for agreements with school boards "with mutual attention and due consideration for their respective rights."⁴ The *Encyclical* of Pope Leo XIII in 1897 had a less compromising tone, stating that all grades of schools should be thoroughly Catholic, and expressing the idea of the unity of all educational processes, which has since been so strongly insisted upon by Catholics. Religion should not be taught at fixed hours alone, but all training should be permeated by religious principles.⁵

Thus Walsh in his *Religious Education in the Public Schools of Massachusetts* in 1904 maintained that the child must be taught as a unit, and that it was wrong to divide his education into the parts influenced by the church, home, school, and street. He would have a school with a Christian

² Will, I, pp. 482-485. The essential features of the Faribault plan were: (1) the school buildings were the property of the parish and were leased to the school committee for use from 9:00 to 3:45, the sisters and pastor having full control at other times; (2) the sisters were employed as teachers, with the same salary as other teachers and the same state diploma required; (3) there was no religious instruction in school hours, but the nuns wore religious habit and there was mass before nine and after school hours they passed over directly to the study of the catechism; (4) Catholics from any part of the city might attend these special schools and Protestant children from those districts might but were not compelled to.

³ *Ibid.*, I, pp. 485-487.

⁴ *Ibid.*, I, pp. 488-490.

⁵ Schwickerath, p. 601.

atmosphere, a Christian teacher, Christian books, and the Bible read with note and comment. If the state would not pay for education in these denominational schools as in England, he would keep up the separate Catholic system.⁶ If equality had been granted to Catholics, this Catholic educator believes that the Christian denominational schools would have continued as formerly. He states that the Lowell Plan, "rightly developed, improved, and applied," would have met reasonable needs.⁷ Similarly Robert Schwickerath, in his *Jesuit Education*, claims that it is wrong to separate religious instruction from the general instruction of the public schools, and points out that reform of character by the training of the will is more important than intellectual accomplishments. Christ rather than a mere system of morals or ethics is to be made the center of all education. Sunday School instruction was considered insufficient and the objection to the non-sectarian school was not what was taught but what was not taught. Mere Bible reading was considered insufficient, for there should be explanation of its meaning and all subjects should be taught with a religious aim.⁸ Burns in *The Catholic School System in the United States* again emphasizes moral training or the education of the will rather than mere knowledge. To this end religious instruction in the school has more value than religious instruction in church or Sunday School because it is more natural to link the secular and religious in this way.⁹

From the above views it is clear that the Catholic church is definitely opposed to any system of coöperation which would leave all religious education to the church and all secular education to the state, with points of intimate contact in the use of time and equipment. It is a fallacy to

⁶ Walsh, *Religious Education in the Public Schools of Massachusetts*, pp. 114-116.

⁷ *Ibid.*, pp. 108-111.

⁸ Schwickerath, pp. 522-607.

⁹ Burns, pp. 13-33.

assume that if there were no Bible reading or similar religious exercises in the schools, the Catholics would abandon their parochial system. Their claim is for a church system of denominational schools with state supervision and state support, a claim which is impossible of fulfillment. Because they thus claim the necessity of a unified educative process, it makes it practically impossible for them to coöperate in the modern idea of secular state education and week-day religious education under the auspices of the church.

The Jews are more insistent on a separation of church and state than the Catholics, and do not insist that all education must be under religious auspices. Hence they favor the entire exclusion of religion from the schools, and a system of church schools for the teaching of religion only. In general they would keep the two systems entirely separate. The standard statement on the subject by the entire liberal Jewish ministry of America was made by the Central Conference of American Rabbis, entitled *Why the Bible Should not be Read in the Public Schools*. The fundamental basis for this is the separation of the church and the state. The purpose of the school is secular and of Bible reading, prayer, and hymns is religious. If the Bible is read the Jews would want the Lesser version of the Old Testament only and as others would not want this they believe that any reading becomes necessarily sectarian and that the teachers of religion must be so. Ordinary school teachers are not qualified to read the Bible and teach it; an atheist would read it cynically. Any reading leads to sectarian instruction and exercises, and should be prohibited.¹⁰ This is still the Jewish attitude and implies no coöperation of church and state in any educational way. Says Rabbi Harry Levi, a leading liberal Jew of Massachusetts:

"I have always had a very definite feeling that the whole matter of religious instruction, including the study of the Bible, should be left as Grant said long ago, 'to the home,

¹⁰ *Why the Bible Should not be Read in the Public Schools* (New York, 1906).

the church and the religious school.' Under existing conditions it seems impossible to teach religion or the Bible, without presenting both in a denominational way. If we are to keep church and state apart, if we are to safeguard the religious rights of all, then we must definitely keep church and school apart."¹¹

Among Protestants the lessening of religious content in the public schools led to many resolutions in church assemblages for better Sunday School work in the church. But in time it came to be realized that this in itself could never be sufficient. A significant statement by a member of the Protestant Episcopal church was made in an essay by Phillips Brooks, in which he recognized that the religion in the public schools had been cut down to a mere formal Scripture reading, a mere dead symbol. He opposed the Catholic idea of church schools, opposed giving education back to the church without state support, and thought the only other possibility "the secular school pure and simple, the school where the Bible is not read nor any religious instruction given." It was a distressing situation and unavoidable, but the church must do better in its Sunday Schools.¹² This was a long step from the ideas of Edward A. Newton a half century earlier.

In 1903 the American Unitarian Association published at Boston Crooker's *Religious Freedom in American Education*. He took the position that the government was neither Christian nor infidel, but simply non-religious. On this basis he carried to its logical conclusion the theory of the separation of church and state and opposed all religious influences in the schools of whatever character. He claimed the Roman Catholic argument against secular schools was really an argument against the secular state and for the superiority of spiritual over temporal power. He believed it was impossible to teach in school different faiths accord-

¹¹ Letter from Rabbi Harry Levi, Aug. 18, 1924.

¹² Phillips Brooks, *Essays and Addresses* (New York, 1895), pp. 519-529.

ing to families and that the money should not be divided among denominational schools. The parent had the right to control the religion of the child and the state to educate the child for its need. He opposed a proposal of President Jacob G. Schurman of Cornell University that religious instruction be given by clergy of different faiths in school time, for practical reasons and because the state had no right to use its time and property for religious instruction. Under these conditions of exclusion he believed that parents and teachers in the churches would awake to their responsibility and the child would get a new idea of the Bible and the church. He did not agree with the Catholic view that all education must be treated as a unit, but would divide the task between the state and the church.¹³

A somewhat different plan based on the interpretations of the meanings of the separation of church and state and of the unity of education was made by Coe in 1904. He was a professor in Northwestern University, a Methodist institution. He accepted the Catholic view of the unity of the education of the whole child, but applied the separation of church and state only to sectarianism. He would have common schools for all the people giving a friendly recognition to the home and church teaching of the various sects and assuming as true all that was common to all. On the foundation of the religious instruction of the church, the Catholic, Protestant or Jewish public school teachers chosen with reference to their spiritual influence would build a character development in the pupils. The restoration of formal Bible reading and religious teaching was not primarily sought. While the Faribault plan was opposed as favoritism to one sect, the use of the school building by all denominations for religious instruction was favored and the religious and secular aspects were to be considered one system with common ideals, a unity.¹⁴ It is apparent, however,

¹³ Crooker, especially pp. 14-64, 183-216.

¹⁴ George A. Coe, *Education in Religion and Morals* (New York, 1904), esp. pp. 350-369.

that this definition of a unified education would not be accepted by the Catholics. But it did mark a positive step in the attempt to work out a system of coöperation of church and state schools.

At the National Council of Congregational Churches in Cleveland, October 11, 1907, President G. Stanley Hall of Clark University pointed out that the separation of church and state, while a great, was not an unmixed good, for it had abolished from the public school system that religious training which was indispensable to the adolescent age. The result was that secular schools were not properly developing morality and abating superstition. The moral influence of history and good music, the good example of the teacher would not suffice. He then explained the German system of enforcing religious teaching in the schools with Catholic, Lutheran, and Jewish teachers of religion, nominated by the religious groups, examined and paid by the state, and doing their teaching in state buildings. He feared that if the Protestant sects in America could not agree upon such a plan, public education here could not again be brought under religious influence. He would have the churches unite in a program of week-day religious education, omitting doctrinal points of conflict. The religion of the schools had become patriotism, and he would have the church resume its lost functions.¹⁵

Out of these various theories and because of the need which their discussion signified, it finally came to be accepted by religious educational leaders among Protestants that the school could not teach religion and that the church must. To accomplish this and preserve so far as possible the unity of the educative process in connection with the public school, there have been developed the plans of church vacation schools, academic credit for religious instruction under church auspices, and week-day religious schools in churches working on school time. It has been found pos-

¹⁵ G. Stanley Hall, *The Relation of the Church to Education*, in *Ped. Sem.*, June 1908, pp. 186-196.

sible to secure the coöperation of Jews and Catholics in these plans in some places. After 1908 the State University of Iowa gave credit for voluntary courses given by local clergymen without pay. Denominations have also established Bible chairs in denominational houses on the campus of state universities. The Greeley Plan was put into effect in the State Teachers' College of Colorado in 1910, the college giving credit after college inspection of work, for a four years' course of Bible study in the community churches, including in the first year of work 60 Roman Catholic students. Plans for state credit for high school Bible work under the auspices of the State Sunday School Association have been worked out in a number of states. Modifications of the plan are used in other states or individual cities. In a few cases it has been applied to elementary schools. The Wenner and Gary plans of sharing the time of the child between the public school and the church school were also developed. The former asked that the public schools be closed every Wednesday afternoon in imitation of the French system, to allow the children to go to the church of their faith for religious instruction. It has been endorsed by the Federal Council of Churches. The Gary plan is made possible by the three platoon system in the schedule of the school, so that children during the play periods may at the direction of parents be sent to their church school. Roman Catholics and both Orthodox and liberal Jews provided educational work as well as Protestant churches.¹⁶

The chief contribution from Massachusetts to this movement for coöperation of church and state has been the Malden plan, developed at Malden, Mass., under the leadership of Professor Walter S. Athearn, a member of the Christian or Disciples denomination and head of the School of Religious Education of Boston University. The aim of this plan is the development of a community system of religious

¹⁶ Walter S. Athearn, *Religious Education and American Democracy* (Boston, 1917), pp. 27-135.

education to parallel the public system of education and to provide as high a standard of work. The plan is entirely non-denominational, and organized on the basis of freedom of denominational control. A Malden Council of Religious Education was organized to assume community responsibility, and to secure a proper division of the time of the pupil between the public schools and the church schools, and promote harmonious relations between them. But the school seeks no public funds. In the system will be included Sunday Schools, week-day church schools, vacation schools, and a community school of religious education, all under the direction of a community superintendent of religious education. Above the community council the plan involves a series of associations similar to those among public school administrators and teachers. The Malden community school had in 1917 a faculty of 12 and an enrollment of 445 students. The plan also includes an ascending series of institutions of secondary, college, and university grade.¹⁷ For the season 1923-1924 the week-day church schools provided courses for all elementary grades and for the junior and senior high school ages. There was a faculty of six college graduates all of whom were specialists in religious education. No credit was given by the public schools and classes were held just after the closing time of the public schools, or at an hour that did not conflict.¹⁸

Investigation has failed to reveal any place in Massachusetts where either excuses from school to attend schools of religious education are granted or school credit is given for the work done. In Malden it was refused by the school committee. Opposition to such state connection with the plan comes from Jews, Christian Scientists, and Catholics.¹⁹

In Worcester there has been a Central Day School of Religion with four coöperating churches. It was decided at

¹⁷ Athearn, pp. 143-185.

¹⁸ *Malden Centre Week-Day Church Schools, 1923-1924.*

¹⁹ Interview with Rev. Mr. Nowlan, Gen. Secy. of the Mass. Sunday School Association.

the beginning to affirm the complete separation of church and state. No use would be made of public school buildings and no public school credits would be sought. No application for public school time would be made until the school had standards and value which would warrant the public schools in excusing the pupils.²⁰ The attendance has not been fully satisfactory when attempting to hold the classes on Wednesday after school hours and on Saturday morning.²¹ At the Central Congregational church a week-day school has been run for two years on the same principles and it is believed that state recognition will be necessary to complete success.²² No formal application for school time has been made, but there have been informal discussions with members of the school committee. It does not appear that the members are definitely opposed, and if all Protestant groups could unite and secure Jewish and Catholic coöperation it is possible that an application for school time might be granted. Superintendent Young is not strongly disposed against it, but believes it ought not to be necessary. Dr. Tomlinson, a former chairman of the committee, was in favor of dismissing for certain hours.²³

The Springfield rules provide that no excuses from school for music or dancing lessons shall be granted, and for other similar reasons authority to excuse is vested in the superintendent. It is not the practice to grant them to attend religious education classes.²⁴

In Boston no application for school time or credit has been made. A Joint Religious Education Committee of the Massachusetts Sunday School Association and the Federation of Churches of Greater Boston has begun the study of the problem of week-day religious education. This committee has as yet not come into coöperation with the Orthodox

²⁰ *First Annual Report of the Central Day School of Religion, 1923.*

²¹ Interview with L. Earl Jackson, Principal.

²² Interview with Dr. Shepard Knapp, Pastor.

²³ Interview with Superintendent Young.

²⁴ Statement by the Superintendent.

Jews, Catholics, and Christian Scientists; but is aiming to get all into the program if possible. It is planned to take a survey of a solid district in regard to religious education and then use this as an argument.²⁵

While no real effort to secure school time has yet been made in Massachusetts except in Malden, the report of a sub-committee of the Massachusetts State Sunday School Association expressed the following attitude:

"While the securing of public school time is not necessary to a successful week-day school, it is nevertheless a desirable asset and should be obtained where possible."²⁶

The Association is making no attempt to get legislation on the subject, but is trying to build up interest in the churches on the subject and to secure properly trained teachers so that the quality of work in the schools will be up to the public school standard.²⁷

Up to the present, therefore, the new theories of church and state coöperation have caused no change in Massachusetts practice. As Article XLVI does not prohibit religious instruction which is not denominational it does not appear that credit to undenominational community schools or work in them on school time would be a violation.

An attempt has been made to discover how far the leaders in religious education, particularly in Massachusetts, desire to have the state in the future coöperate in their movement. That nothing in general is desired which is at all likely to break down the separation of church and state is apparent from these resolutions of the Religious Education Association:

"Such a division of the child's time as will allow opportunity and strength for religious education should be reached by consultation between parents and public school authorities without formal agreement between the state and the churches as institutions.

²⁵ Statement by Executive Secretary, Rev. George L. Paine.

²⁶ *Report of Sub-Committee on Week-Day Schools, April 4, 1923.*

²⁷ Interview with Rev. Mr. Nowlan, Gen. Secy.

The work of religious education and training should be done by such institutions as the home, the church, and the private school, and not by the public school nor in official connection with the public school."²⁸

The question as to whether the conditions of the week-day church-school with no religious education given directly in the public school might lead to Catholic coöperation and an elimination of parochial schools has been tentatively answered by Dr. James H. Ryan of Oregon in a sympathetic article in the *Catholic World*. He regards the Protestant experiment as a sincere desire to supply a real defect in public education, and appears to favor the granting of public school credit. He states that religious teaching by denominations and other teaching by the state school has worked well in some countries, but that until religion is made the foundation of the public school curriculum, it is hardly conceivable that the church would give up its parochial school system.²⁹ This is undoubtedly the attitude in Massachusetts as well as Oregon.

The National Council of Jewish Women is opposed to Bible reading in the public schools and to the assumption of the work of religious education by the public school.³⁰ Rabbi Harry Levi, a leading liberal Jew of Massachusetts, would prohibit the present Bible reading in the state and keep the state entirely free from any connection with religious education, whether in the form of sharing public school time, giving credit for church-school work, allowing the use of school buildings to religious workers, or giving religious education directly.³¹ This may therefore be taken to represent the general Jewish attitude.

Rev. George L. Paine, Executive Secretary of the Federation of Churches of Greater Boston, makes this statement:

²⁸ Henry F. Cope, *The Week-Day Church-School* (New York, 1921), p. 170.

²⁹ James H. Ryan, *A Protestant Experiment in Religious Education*, in *Catholic World*, June, 1922, pp. 314-323.

³⁰ Letter from Mrs. Estelle M. Sternberger, Executive Secretary.

³¹ Letter from Rabbi Harry Levi.

"Bible reading in the public schools is preferably optional so far as the state is concerned. While it should be customary, it should not be compulsory. Let the majority in a given community decide, and then if parents object to the children being present, excuse those children. Children should be excused from school for religious instruction either in denominational churches or in parish houses. School credit might be given where adequate instruction is given, preferably by certified teachers.

"I have no objection to admitting on equal terms the clergy of all faiths to school buildings after school hours for religious education. The state would be justified in doing it for the moral results. Rent would probably have to be paid. It is proper for public school teachers to do the teaching there after school hours if they are prepared and willing, but it would be better to call on a non-teaching faculty. This instruction should be given on a voluntary rather than paid basis yet a while. There is, however, no objection to undenominational, scholarly rather than partisan comment, to help in the understanding of passages, after the daily Bible reading,—provided the teacher has the knowledge."³²

The Congregational Education Society believes the dismissal of pupils for religious education on request of parents or guardians does not violate the principle of separation of church and state, but advises no attempt to secure the privilege until the coöperation of public school officials has been won by demonstrated results. But it believes the use of public school buildings is an infringement on the separation of church and state and should be avoided. The employment of public teachers during public school hours is likewise deprecated. Whether public school credit should be given is still an open question.³³

The question of religion in state schools is thus answered by Rev. Erwin L. Shaver, District Secretary of the Con-

³² Statement by Rev. George L. Payne.

³³ *Week-Day Religious Education* (tract), (Boston, 1922), pp. 6, 7.

gregational Education Society, whose territory includes Massachusetts:

"If one means by Religious Education the development of character in accordance with a religious ideal, then the state does give religious education. The ideal, however, which the state sets as its character goal is determined by vote of the majority of its citizens. The religious education of the state school system is therefore a character education on the plane of the average or commonly accepted community morality and only semi-Christian. Complete Christian education can take place only under the direction of those institutions or schools which are free to set forth their ideals unhampered by the limitations of compromise as is necessary to democracy. Christian education at its best holds to an ideal not yet attained by the community at large and by constant effort gradually raises the level of the character education carried on by the state toward that ideal. For purposes of distinction, it is better to think of Christian education as the "plus" element which in a democracy cannot and ought not to be taught by the state schools although the state does do a portion of religious education taken in a broad sense."³⁴

A carefully prepared statement by William I. Lawrance, Th. D., Secretary of the Department of Religious Education of the American Unitarian Association, though not an official statement of the Unitarian denomination, nevertheless sums up largely the attitude of Protestant groups at present. It follows:

"There seems to be no reason why the Bible should not be read in the public schools, provided that the local sentiment approves it with practical unanimity. Comments on the passages read should be omitted. There is slight chance that these would be edifying, and they might be of such character as to give offense to some. Clergymen should not be permitted to teach religion in public school buildings, either during school hours or at other times.

³⁴ Statement by Erwin L. Shaver, Jan. 5, 1924.

"Public school authorities may properly give credits for work done in week-day schools of religion that count toward promotion and graduation, provided always that upon careful examination they are satisfied that the teaching has been done by persons properly qualified and that the pupils have actually learned the subject matter presented. Attendance, behavior and effort should be required in all week-day schools of religion, that the standards established by public schools be not lowered.

"Pupils should be excused from public schools to attend week-day schools of religion only upon the written request of their parents or guardians. Pupils not so excused should not be carried forward in courses taken in common with those excused, as that would give them an unfair advantage in regard to promotion and graduation. Instead, courses in literature, history, story-telling, handwork and the like, aiming at preparation for effective living, might be given. In this way the week-day schools and the public schools would both be aiming, each in its own way, at the same end, the preparation of boys and girls for serviceable life in the Republic. If academic credits are given in the one case, they should also be given, and on similar terms, in the other." ³⁵

The situation at the present time seems to be that no one desires the public schools as at present constituted to increase the amount of religious education. The Bible reading is objected to by some and nowhere strongly supported. Even where advocated there is no desire to make it compulsory and comment on the reading is not usually desired. Protestants and Jews alike usually object to the use of the school buildings for private religious teaching. Most Protestants think school time for church schools advisable but are more anxious to develop the character of the work in the schools. There is less unanimity on the question of school credit for this work and no strong demand for it.

³⁵ Statement of William I. Lawrance, Jan. 22, 1924.

CHAPTER XIII

CONCLUSIONS

THE early state promotion and direction of religious education in Massachusetts was the natural result of historical forces. The medieval union of church and education and of church and state had been only partially removed by the Protestant Revolt. When the lay state became actually sovereign and superior to the church, it did not hesitate to use its force to promote religion; and in taking over the educational function from the church it used it in part as a means of promoting religion. In all the European countries affecting Massachusetts, there was a definite policy of state co-operation to inculcate the accepted religion of the country through the schools. This was especially true of the countries where the church-state ideas of John Calvin were influential; and it was these ideas which largely determined the original church and state constitution of Massachusetts. The direct models of schools and texts came mainly from England, where the religious content was emphasized.

In both the Plymouth and Massachusetts Bay colonies the government had a religious aim, with respect to their own inhabitants and with respect to the Indians. The Massachusetts Bay Company financed the religious establishment in part and later the colonial laws required support for the ministry. When church and state were considered simply two different administrations of the same body politic, it was logical for a public religious education to be required and supported by taxation. Though toleration was granted to all except Catholics in 1691, the principle of state support of the locally established church was maintained until 1833, with exemptions to Quakers, Baptists, and Episcopalians.

While Plymouth was backward in educational matters, there was no objection to the principle of public schools in which religion was taught. In the Massachusetts Bay Colony the laws themselves indicated a chief purpose of compulsory schools, compulsory catechizing of all children, and control of the faith of teachers employed was religious. Education was to enable the individual to live a proper religious life and to train leaders in church as well as commonwealth. The local colonial practice shows that while the schools were not entirely supported by taxation and did not provide free tuition to all, there was at least partial public support and pupils too poor to pay tuition were provided for at the expense of the town. Religious education for all was enforced through the inspection of families by the selectmen and public catechizing by the minister. The evidence of contracts with teachers, regulations adopted by the towns, curricula, and textbooks shows a very strong religious aim and large religious content in elementary and grammar schools, which were provided for the boys who attended. The attitude of the state to religious education also appears in many statements relative to Indian education and some grants from the treasury of the colony in its support.

The original aim of Harvard College was distinctly religious and this was one of the main reasons why the colonial government watched carefully its administration and provided a measure of financial support. The curriculum and daily régime of the institution were religious, as befitted an educational training school for the ministry. The government took a direct hand in the religious quarrels as to the liberal or orthodox control of the institution, and as to the admission of Episcopalians to the Board of Overseers. In the project for the establishment of an interior college shortly before the Revolution, a religious reason was urged and considered by the government; but it is not clear that this was the cause of refusal to establish it.

After the Revolution the new emphasis on the rights of

man and political philosophy which marked the period of constitution making resulted in a gradual separation of the state from religious concerns and a gradual diminution of the religious content in the public schools. Religious equality took the place of religious toleration. But the towns were until 1833 required, unless they did it voluntarily, to provide at their expense public Protestant teachers of piety, religion, and morality. The town majority determined the type of religion to be supported. The work of these ministers was educational as well as the providing of public worship. Official statements of government officials favored this system, although ideas of the separation of the state from religion were growing. Religion in the public schools, now for girls as well as boys, continued in the form of devotional exercises, use of the Bible as a text for reading, religious material in textbooks, the study of the catechism and the public catechizing, frequently by the minister. The moral instruction law of 1789 was secular rather than religious in point of view, but by requiring the teaching of piety it made possible an interpretation to cover religious teaching. At this time the law did not require necessarily compulsory taxation or compulsory attendance; so that theoretically religious instruction was not forced upon pupils. In the texts used and the regulations issued there was after the Revolution a considerable decrease of the sectarian element and thereafter a steady decrease in the amount of any religious material in the content. By 1827 the use of catechism, creeds, and hymns, and of most of the Biblical material had in the main disappeared and a morality based on religion had taken their place in the elementary schools. In the Latin Grammar Schools only the *Greek Testament* afforded religious content. In the revival of interest in schools of this period, sectarian books were prohibited. Hereafter all were taxed to support this non-sectarian religious education of the school.

In the development of the high school, it was customary to teach in the English departments a non-sectarian Christian-

ity, using such texts as *Evidences of Christianity* and *Natural Theology*. This was a new element in the curriculum. After 1827 the elementary textbooks were unsectarian and the use of the catechism was exceedingly rare. Devotional exercises were briefer but generally continued. The Bible was still a reader used more extensively than any one substitute. Religious education was also promoted by incorporation of societies partly for that purpose and by direct grants to private agencies, including Roman Catholic priests, for religious education of Indians. Until 1837, then, the promotion of an unsectarian religious education was regarded as a state function.

The academies were founded largely with a religious aim and purpose and were frequently denominational in control. The fact that they promoted religion was a reason for their free incorporation and for land grants in most cases until nearly 1820. After 1827 the policy changed to one of promoting common public schools, but not because the academies taught religion. Their content came to be not widely different from the public high schools, but the religious atmosphere was more marked, and there was more sectarian influence.

Four colleges, all teaching a more or less sectarian religion by general influence if not direct classroom instruction, received state aid during the period. The constitution of 1780 specifically recognized the promotion of religion in Harvard and while religious influences in the institution diminished, the state continued to interest itself in the type of religious control. Williams was more distinctly religious and Calvinistic and received state patronage. The objection to chartering Amherst was not due to the teaching of strict Calvinism so much as the rivalry of Harvard at first and later of Williams, but the inclusion in the charter of the prohibition of a religious test and a provision for partial state supervision indicates a desire to make colleges definitely public institutions and to prevent religious exclusiveness. After 1825 the state patronage of colleges was di-

verted to the benefit of common schools. This and a religious prejudice kept Amherst as the only college without state aid.

Theological institutions did not receive state aid, but were incorporated, usually with a prohibition of religious tests.

In the period from 1837-1855 the practice of 1837 was given a more definite constitutional and statutory basis after a period of active discussion which disclosed that the great majority wanted a non-sectarian Protestant recognition of religion in the public schools and preferred a system of public schools to private parochial schools teaching religion. The development of the state educational system under the dominating personality of Horace Mann gave a renewed emphasis on a religiously moral training in schools which were entirely free from sectarianism. Because this was jealously interpreted by some to mean the promotion of Unitarianism, if not deism and naturalism, there resulted an intermittent hostility to the system which Mann was trying to promote, though he had no direct legal authority over the actual curricula of the schools. Bible reading, instruction in Biblical morality, and in natural religion were favored by nearly all; those who would go beyond this and teach such specific doctrines as natural depravity and free grace were in the minority. Bible reading and teaching in the broad aspects of conduct in accord with Biblical principles actually increased in the schools. The chief result of the controversies with Edward A. Newton and Matthew Hale Smith was to show how much religion there then was in the schools. Practically all denominational leaders except some Episcopalians and a few Congregationalists were satisfied to omit sectarian instruction. The Baptists because of their fundamental principle of separation of church and state desired to omit it. After the accession of an orthodox leader who was a Baptist to the office of Secretary, the demand for sectarian instruction ceased. But the general attitude toward church and state was illogical. This actual promotion in the schools of a religious education which to

the Catholics was Protestantly sectarian while advocating in general a separation of church and state was a matter of expediency rather than logic. The increase of Catholics during the period demonstrated, especially in the Lowell experiment, that the point of view of the two groups was so different on the relation of church and state and on the religious element of education, that they could not agree upon the character of one common public school system. But the Lowell Plan did mark a definite attempt to compromise this difficulty so as to include Catholic schools in the public system without departing from its legal requirements. The failure of this experiment and the development of parochial schools brought a Protestant desire, reinforced by the momentum of the Know Nothing movement, to make constitutionally impossible appropriations to parochial schools and to assert legally the Protestant religious character of the public schools. Expediency rather than principle caused the prohibition to apply to common schools rather than to colleges and academies, and again to be based on the question of public administration rather than religion, the real reason. The compulsory education law coupled with the Bible reading law made religion in the schools compulsory in a sense in which it had not been before, but this could be avoided by attending private schools.

The history of the relation of the state to higher institutions after 1837 until 1917 shows in general a tendency to separate from all administrative and financial relations with institutions which did not definitely become state institutions. Only a few academies succeeded in obtaining appropriations, though refusals of others cannot be traced to the fact that they were denominational or taught religion. On the basis that endowed academies were not private schools, there was a possible authority of the state to direct them to some extent, but this did not actually affect the religious teaching. When some of them became practically parts of the high school system the question of public administration gave more trouble under Amendment XVIII than the ques-

tion of religion. In the case of Harvard for two decades the politics of the state were concerned with freeing it from Unitarian influence and making it a thoroughly public institution, or with cutting it off entirely. There were no appropriations to it and in 1865 it was mutually agreed to sever all official relations. In 1849 the Catholic College of the Holy Cross was refused a charter by the General Court ostensibly because it would not accept a charter prohibiting a religious test for students, but in reality because it was then considered that a charter made it a public college, with a legitimate claim to public patronage and the stamp of approval of the state on its religious teachings. The state was unwilling to grant this to a Jesuit college. Hereafter a religious test was usually prohibited in college charters except in the case of theological institutions, in the case of faculties who were members of religious orders, or in cases where it was deemed unnecessary. There was support of institutions teaching religion, in the form of tax exemptions, state scholarships, and direct appropriations which became increasingly rare. But in the case of the Massachusetts Agricultural College it was made definitely a state institution and appropriations continued. In the Massachusetts Institute of Technology and the Worcester Polytechnic Institute, where the religious element was slight, appropriations continued to the end of the period as a support to technical education.

After 1855 the public schools, including elementary, high, and normal schools soon dropped all religious content except the daily Bible reading and devotional exercises, for which there was strong local support, with the addition of moral instruction based on Christianity but not taught as religion. The law permitted non-sectarian religious instruction in the judgment of local committees, but they did not require it. The Bible reading law was modified at Catholic insistence so that no pupil could be compelled to read from any version if the parent objected, but attendance was required unless the pupil secured his education elsewhere. Attempts to secure the inspection of parochial schools failed

and requirements were simply made plain that the required subjects be taught in English and that proper returns of attendance be made to the public authorities. If the school was not approved by the school committee proof that the instruction was adequate could be offered on trial. Hence there was absolutely no state relation to the teaching of religion in these schools. The requirement of religious equality in the choice of teachers was a further evidence of the secular character of the schools.

The state never in principle opposed a religious education for its dependent, defective, or delinquent wards and in practice some was usually provided. Toward the end of the 19th century provision was made for excusing from general exercises those who attended one of their own faith. Otherwise the exercises were compulsory. In placing dependent children and probationers, provision was made for putting them in homes of the same religious faith where practicable.

The final settlement of the sectarian issue came because the Protestants feared the Catholics would in some way bring the parochial schools into the public school system so that they could secure public funds, or would secure funds for institutions not of common school grade. The Catholics thought it unfair not to have such appropriations when the policy of the state had been to permit them to colleges and academies. In the constitutional convention of 1917 some of the Catholics and the Jews united with the Protestants in prohibiting funds to all institutions not under public administration except some in the field of health and charity; and in prohibiting to any school whether under public or private control in which denominational doctrines were taught. Denominational instruction may now be given only to the wards of the state with their consent. Non-sectarian or undenominational instruction is still possible but non-existent in the public schools, although Bible reading continues.

The denominational attitude with reference to the above status is that the Catholics consider all education a unified process which must be given in wholly Catholic schools,

though they would be willing to admit state supervision of the secular education in their schools in return for state support. The Jews would entirely separate church and state and remove the Bible and all other religious connections from the public schools. The Protestants are developing their own religious education in church schools but are disposed to coöperate with the public schools so long as the principle of separation of church and state is not violated. No excuses from school for religious education or credit for the same has become actual in Massachusetts and the religious education leaders are not strongly urging it. Neither are they strongly insistent on the retention of the Bible reading law. The tendency is toward rather than away from a more logical application of the theory of the separation of church and state.

BIBLIOGRAPHY

PRIMARY SOURCES

A. Massachusetts Colonial and State Documents

- Records of the Colony of New Plymouth in New England.* Edited by Nathaniel B. Shurtleff and David Pulsifer, Boston, 1861.
- Transactions and Collections of the American Antiquarian Society*, III. 1857. Contains *Records*, March 27–Apr. 30, 1628, not in the following official publication, because discovered later.
- Records of the Governor and Company of Massachusetts Bay in New England.* Edited by Nathaniel B. Shurtleff, Boston, 1854.
- Acts and Resolves, public and private, of the Province of the Massachusetts Bay.* Reprint, 21 v., Boston, 1869–1912.
- Charters and General Laws of the Colony and Province of Massachusetts Bay, etc.* Boston, 1814.
- The Colonial Laws of Massachusetts, Reprinted from the edition of 1672, with supplements through 1686.* Boston, 1887.
- Journal of the Convention for Framing a Constitution of Government for the State of Massachusetts Bay, Sept. 1, 1779–June 16, 1780.* Boston, 1832.
- Journal of the Constitutional Convention, 1853.* Boston, 1853.
- Debates and Proceedings in State Convention, 1853.* 3 v., Boston, 1853.
- The Constitutional Propositions Adopted by the Convention of Delegates, A. D. 1853, and Submitted to the People for their Ratification, with an Address to the People of Massachusetts.* Boston, 1853.
- Documents printed by order of the Constitutional Convention, 1853.* Boston, 1853.
- Debates in the Massachusetts Constitutional Convention, 1917–1918.* 4 v., Boston, 1919.
- Journal of the Constitutional Convention of the Commonwealth of Massachusetts, 1917.* Boston, 1917.
- A Manual for the Constitutional Convention, 1917.* Boston, 1917.
- Appropriations for Sectarian and Private Purposes. Bulletin No. 17, Bulletins of the Constitutional Convention, 1917–1918, II.* Boston, 1919.

- Acts and Laws of the Commonwealth of Massachusetts, and Resolves of the General Court of the Commonwealth of Massachusetts, 1780-1805.* 13 v. Official reprint, Boston, 1890-1898.
- Resolves of the General Court of the Commonwealth of Massachusetts, 1806-1838.* 9 v., Boston, 1806-1838.
- Laws of the Commonwealth of Massachusetts, 1805-1838.* 12 v., Boston, 1806-1839.
- Acts and Resolves passed by the General Court of Massachusetts, 1839-1914, 1920-1924.* 51 v., Boston, 1839-1924.
- General Acts Passed by the General Court of Massachusetts, 1915-1919.* 5 v., Boston, 1915-1919.
- Special Acts and Resolves passed by the General Court of Massachusetts, 1915-1919.* 5 v., Boston, 1915-1919.
- Perpetual Laws, Oct. 1780-May, 1789.* Boston, 1789.
- General Laws, from the Adoption of the Constitution to Feb., 1822.* 2 v., Boston, 1823.
- Revised Statutes.* Boston, 1836.
- General Statutes.* Boston, 1860.
- Public Statutes.* Boston, 1882.
- Revised Laws of the Commonwealth of Massachusetts.* 2 v. and index, Boston, 1902.
- General Laws of Massachusetts, 1921.* 2 v. and index, Boston, 1921.
- General Laws Relating to Education . . . ; also subsequent amendments and additions enacted in 1921.* *Bulletin of the Department of Education, 1921, No. 9.* Boston, 1921.
- Journal of the House of Representatives of Massachusetts, 1723-1724.* Reprint by the Massachusetts Historical Society, 1924.
- Journal of the House of Representatives of the Commonwealth of Massachusetts.* 1854, 1855, 1889, 1915.
- Documents Printed by order of the Senate of the Commonwealth of Massachusetts.* 1827, 1828, 1832, 1834, 1836, 1837, 1842, 1850, 1854, 1859, 1860, 1864, 1868, 1869, 1888, 1896.
- Documents Printed by order of the House of Representatives of the Commonwealth of Massachusetts.* 1827, 1832, 1835, 1836, 1839, 1840, 1842, 1843, 1847-1849, 1851, 1852, 1854, 1855, 1857-1861, 1866, 1867, 1869, 1871, 1888, 1889, 1897, 1913, 1915.
- Report of the Committee appointed to inquire into the Facts relative to the Amherst Collegiate Institution.* Jan. 8, 1825.
- Massachusetts Reports.* 245 v., 1804-1924. Cited 18-41, *Picker-*

- ing, 1-24; 42-54, *Metcalf*, 1-13; 55-66, *Cushing*, 1-12; 67-81, *Gray*, 1-15; 82-96, *Allen*, 1-14. Boston, 1824-1924.
- Official Opinions of the Attorneys-General of the Commonwealth of Massachusetts*. 5 v., 1891-1920, Boston, 1899-1922.
- Report of the Attorney-General*, 1898, 1918-1922. Boston, 1898, 1919-1923.
- Abstract of the Massachusetts School Returns*, 1835, 1843-1844. Boston, 1835, 1844.
- Annual Report of the Board of Education*, 1838-1923. 87 v., Boston, 1838-1923.
- Martin, George H., *Report on the High Schools of Massachusetts*, 1884. Boston, 1885.
- Rules for Jails and Houses of Correction*, 1921.
- Annual Report of the Commissioner of Correction for the Year ending Nov. 30, 1922*. Public Document, No. 115.
- Annual Report of the Trustees of the Massachusetts Training Schools for the Year ending Nov. 30, 1922*. Public Document, No. 93.

B. Town and City Documents

- An Account of the Expenses of the Town of Lowell for one year, ending Feb. 28, 1835*.
- Address of the Mayor of the City of Lowell, to the City Council, Monday, Apr. 3, 1837*.
- Annual Report of the Receipts and Expenditures of the City of Lowell, 1st-4th, 1837-1840*.
- Annual Report of the School Committee of the City of Boston*, 1859.
- Annual Report of the School Committee of the Town of Leominster*, 1859-1860.
- Annual Report of the School Committee of Lowell*, 1838-1856.
- Annual Report of the School Committee of the Town of Medford*, 1869.
- Annual Report of the School Committee of the City of Newburyport*, 1856.
- Annual Reports of the Public Schools of the City of Boston*, 1847. City Document No. 40.
- Catalogue of the Instructors and Scholars in the Latin and English High School, Newburyport, 1832*.
- The Expenses of the Town of Lowell, for one year ending March 1, 1836*.

- Edson, Theodore, *An Address delivered at the opening of the Colburn Grammar School in Lowell, Dec. 13, 1848.*
- Mann, Horace, *An Oration delivered before the Authorities of the City of Boston, July 4, 1842.*
- Proceedings of the School Committee of the Town of Boston respecting an English Classical School, 1820.*
- Regulations for the Public Schools of the Town of Lowell. Adopted by the School Committee. May, 1832, and April, 1855.*
- Regulations for the Public Schools of the Town of Salem. 1830.*
- Regulations of the Public Schools, Cambridge, 1849.*
- Regulations of the Public Schools in the City of Salem. Adopted 1842.*
- Regulations of the School Committee of Roxbury, March, 1845, May, 1847.*
- Report of Committee on Classification of Schools, Boston, Nov. 29, 1831.*
- Report of Committee on Regulations of the School Committee of Boston. City Document, 1833.*
- Report of a Joint Committee of the City Council on the Public Schools and School Houses in Lowell.*
- Report of the School Committee of the City of Cambridge, 1848, 1849.*
- Report of the School Committee of Marblehead, 1860.*
- Report of the School Committee of the Town of Grafton, 1841.*
- Report of the School Committee of the Town of Leicester, for 1849-1850.*
- Report of the School Committee of the Town of Newton, 1860-1861.*
- Report of the School Committee of the Town of Waltham, 1856-1857.*
- Report to the Committee of the City Council, appointed to obtain the Census of Boston, for the year 1845.*
- Report to the Common Council on the Subject of a High School for Girls. Boston.*
- Reports of the Annual Visiting Committees of the Public Schools of the City of Boston. 1845. Document No. 26.*
- Reports of the Record Commissioners of the City of Boston. 39 v., Boston, 1876-1909.*
- Rules and Regulations of the Board of Overseers of the Poor and of the Almshouse Establishment, Lowell, 1839.*

- Rules and Regulations of the Public Schools of Lowell, Adopted Jan. 1850.*
- Rules of the School Committee and Regulations for the Public Schools. Worcester, 1923.*
- Rules of the School Committee and Regulations of the Public Schools of the City of Taunton, Nov. 1, 1869.*
- Rules of the School Committee and Regulations of the Public Schools of the City of Worcester. Worcester City Doc. No. 8, 1853.*
- Rules of the School Committee and Regulations of the Public Schools of the Town of New-Bedford. 1844-1845.*
- Rules of the School Committee and Regulations of the Schools. Boston. 1855, 1863.*
- School Committee Rules and Regulations, Springfield. 1923.*
- State of Boston Schools May, 1826.*
- The System of Public Education, Adopted by the Town of Boston, 15th Octob., 1789. A very rare pamphlet bound in Pamphlets, American Antiquarian Society, X.*
- Third Annual Report of the Superintendent of the Public Schools of the Town of Plymouth. 1857-1858. Accepted by the School Committee.*

C. Publications of Colleges, Academies, etc.

- An Account of Dummer Academy. Boston, 1837.*
- Annual Catalogue of Officers and Members of the Mount Holyoke Female Seminary. 1837-1838 and 1867-1868.*
- Annual Catalogue of the Officers and Students of South Reading Academy. 1831.*
- Annual Catalogue of the Worcester County Free Institute of Industrial Science. 1870-1884.*
- Catalogue of the Berkshire Gymnasium, 1830.*
- Catalogue of the Corporation, Faculty and Students, Amherst College. Oct. 1826, 1858-1859, 1892-1893.*
- Catalogue of the Instructors and Students in the Female Classical Seminary, Brookfield, Mass. 1826.*
- Catalogue of the Officers and Members of Ipswich Female Seminary. 1830.*
- Catalogue of the Officers and Students of the Collegiate Institution, Amherst, Mass., Oct. 1822.*

- Catalogue of the Officers and Students of Nichols Academy, Dudley, Mass.* 1835.
- Catalogue of the Officers and Students of Tufts College.* 1860-1861 and 1875-1876.
- Catalogue of the Officers and Students of Wesleyan Academy, Wilbraham, Mass.* 1834.
- Catalogue of the Officers and Students of Westminster Academy,* 1836.
- Catalogue of the Officers and Students of Williams College.* 1823, 1826, 1839-1840, 1858-1859, 1875-1876.
- Catalogue of the Teachers and Scholars of Lexington Boarding School and Private Academy,* 1835-1836.
- Catalogue of the Trustees, Instructors and Students of Amherst Academy.* 1827, 1830.
- Catalogue of the Trustees, Instructors and Students of Fellenberg Academy,* 1834.
- Catalogue of the Trustees, Instructors and Students of Groton Academy,* 1837.
- Catalogue of the Trustees, Instructors and Students of Hopkins Academy, Hadley, Mass.* 1826.
- Catalogue of the Trustees, Teachers and Students of New Salem Academy,* 1840.
- Catalogue of Sanderson Academy* 1829; with a statement of the Plan of Instruction.
- Constitution of the Society for Promoting Good Morals in Phillips Academy, Andover, Aug.* 1813.
- Extracts from By-Laws of Westford Academy, relating to Government and Discipline thereof.*
- First and Second Annual Reports of the Fellenberg Academy,* 1834.
- Historical Notice of the Bridgewater Academy from its Foundation in 1700, to 1858.* Boston, 1859.
- The Journal of the Worcester Polytechnic Institute.* Dec. 1917.
- The Laws of Millbury Academy in Millbury, Mass.; enacted by the Board of Trustees.* 1833.
- Memorial. Twenty-Fifth Anniversary of the Mt. Holyoke Female Seminary.* South Hadley, 1862.
- Outline of the Plan of Education Pursued at the Greenfield High School for Young Ladies, with a Catalogue,* 1828-1829.
- Semi-Annual Catalogue of the Officers and Students of Franklin Academy at Shelburne Falls, Mass.* 1833.

D. Textbooks

- Adams, Daniel, *The Monitorial Reader, designed for the use of Academies and Schools*; etc. Keene, 1839.
- Adams, Daniel, *The Understanding Reader*. Leominster, 1803.
- Barbauld, Anna Laetitia, *The Female Speaker*. Boston, 1824.
- Bingham, Caleb. *The American Preceptor*. 4th ed., Boston, 1797.
- Bingham, Caleb. *The Young Lady's Accidence*. Boston, 1785.
- Butler, Frederick A. M., *Sketches of Universal History, Sacred and Profane, from the Creation of the World, to the year 1818*. Hartford, 1818.
- Butler, Joseph, *The Analogy of Religion Natural and Revealed to the Constitution and Course of Nature*. 3d Am. ed., Hartford, 1819.
- Cheever, Ezekiel, *Latin Accidence*. Revised from the 18th edition, Boston, 1838.
- The Child's First Book*. Title page missing. Later editions after 1802.
- The Child's Guide*. 3d ed., Brookfield, 1831.
- The Columbian Spelling Book, and Children's Friend*. Providence, 1819.
- Culman, Leonard, *Sententiae Pueriles, Anglo-Latinae*. Tr. into English by Charles Hoole. Boston, 1723.
- Dilworth, Thomas, *New Guide to the English Tongue*. Title page missing. Later edition, Boston, 1782.
- Dixon, Henry, *The English Instructor*. Title page missing. 8th ed., Boston, 1746.
- Duncan, Henry, *Sacred Philosophy of the Seasons; illustrating the Perfections of God in the Phenomena of the Year*. Adapted to American Readers by Rev. F. W. P. Greenwood. 4 v., Boston, 1839.
- The Fourth Class Book*. 2d ed., Brookfield, 1828.
- The Franklin Primer*. Composed and published by a committee of the School Convention of Franklin County, May 25, 1826. 21st ed., Greenfield, 1836.
- The General Class Book*. By author of the Franklin Primer and Improved Reader. 2d ed., Greenfield. About 1829.
- Hickok, Laurens P., *A System of Moral Science*. 3d ed., New York. 1874.
- Leavitt, Joshua, *Easy Lessons in Reading, for the use of the younger classes in Common Schools*. 7th ed., Keene, 1827.

- Maturinus Corderius, *School-Colloquies*. By Charles Hoole. London, 1676. Ed. edited by John Clarke, Worcester, 1801.
- Murray, Lindley, *The English Reader*. 3d Philadelphia ed., 1801.
- New American Spelling Book*. Ed. by Isaiah Thomas, Worcester, 1785.
- The New England Primer, Improved, to which is added, The Assembly of Divines, and Mr. Cotton's Catechism*. Boston, 1779.
- Nomenclatura Brevis* per F. G. Boston, 1735.
- Olmstead, Denison, *An Introduction to Natural Philosophy*. New York, 1850.
- Paley, William, *Natural Theology or Evidences of the Existence and Attributes of the Deity, collected from the Appearances of Nature*. Boston, 1857.
- Paley, William, *The Principles of Moral and Political Philosophy*. 10th American ed., Boston, 1821.
- Perry, W., *The Only Sure Guide to the English Tongue*. 10th Worcester ed., 1797.
- Pierpont, John. *The National Reader*. Boston, 1828.
- The Progressive Reader or Juvenile Monitor*. Concord, N. H., 1833.
- The Protestant Tutor for Children*. 1685? No title page. Also Boston, 1685.
- Schoolmaster, J. F., *The Child's First Book, Drawn up for the Use of Sunday Schools*. 4th ed., Newcastle, Eng., 1794.
- Stamford, Daniel, *The Art of Reading, calculated to improve the Scholar in Reading and Speaking with Propriety and Elegance and to impress the Minds of Youth with Sentiments of Virtue and Religion*. Boston, 1800.
- Strong, T., *The Common Reader*. 2d ed., Greenfield, 1819.
- Temple, Samuel, *The Child's Assistant*. Boston, undated, preface 1800.
- Wayland, Francis, *The Elements of Moral Science*. New York, 1835.
- Webster, Noah, *The American Spelling Book*. Boston, 1789.
- Webster, Noah, *Part II of Grammatical Institute*, Hartford, 1784.
- Webster, Noah, *Part III of Grammatical Institute*, Hartford, 1785.
- Webster, Noah, *Introduction to English Grammar*, Philadelphia, 1788.
- Webster, Noah, *The Little Reader's Assistant*. Hartford, 1791.
- Worcester, Noah, *The Friend of Youth, to imbue the young with*

Sentiments of Piety, Humanity, and Universal Benevolence. 2d ed., Boston, 1823.

Worcester, Samuel, *A Second Book for Reading and Spelling.* Boston, 1831.

The Youth's Instructor. Boston, 1757.

E. Newspapers and Periodicals

The American Journal of Education. Ed. by Henry Barnard. I, V, XVI, XXX.

The Boston Advertiser. 1917.

The Boston Courier. 1846, 1847, 1848, 1855.

The Boston Evening-Post. 1770, 1771.

The Boston Herald. 1916, 1917.

The Boston Journal. 1917.

The Boston Post. 1853.

The Boston Recorder. 1822, 1839, 1842, 1843, 1847, 1848.

The Boston Transcript. 1916, 1917.

The Boston Traveler. 1917.

The Boston Weekly NewsLetter. 1727.

Brownson's Quarterly Review. New Series, XI, 1849; Third Series, II, 1854.

The Christian Observatory. 1849, 1850.

The Christian Register. 1844-1849, 1855.

The Christian Review. 1840, 1841, 1843, 1855.

The Christian Science Monitor. 1917, 1918.

The Christian Watchman. 1843-1847.

The Christian Witness and Church Advocate. 1844, 1855.

The Congregational Quarterly. 1859, 1865.

The Independent Chronicle. June 4, 1795.

The Jesuit, or The Catholic Sentinel. 1834.

Massachusetts Common School Journal. Edited by Horace Mann. II.

The New Englander. I, V, VI.

The Olive Branch. 1841-1846.

The Pilot. 1915, 1917.

The Puritan Recorder. Mar. 1, 1855.

The Springfield Republican. 1917.

The Springfield Union. 1917.

The Watchman and Reflector. Mar. 1, 1855.

F. Miscellaneous

- Adams, John, *Works*. IV. Edited by Charles Francis Adams. Boston, 1850.
- An Address of the Convention for framing a new Constitution of Government for the State of Massachusetts Bay, to their Constituents*. Boston, 1780. Bound in *American Antiquarian Society Pamphlets*, v. 312.
- Argument of J. H. Benton in favor of State Aid to Boston University, before the Joint Committee on Education of the Massachusetts Legislature, Feb. 14, 1911*. Boston, 1911.
- Athearn, Walter S., *Religious Education and American Democracy*. Boston, 1917.
- Boutwell, Hon. George S., *Address of, to the People of Berlin, on the Provisions of the New Constitution, Oct. 3, 1853*. Boston, 1853.
- Boutwell, George S., *Reminiscences of Sixty Years in Public Affairs*. 2 v., New York, 1902.
- Brooks, Phillips, *Essays and Addresses*. Edited by the Rev. John Cotton Brooks, New York, 1895.
- Burton, Warren, *The District School as it Was, Scenery Showing, and other Writings*. Boston, 1852.
- Carter, James G., *The Schools of Massachusetts in 1824*. In *Old South Leaflets*, VI, No. 135. Boston, 1903.
- Chalkley, Thomas, *Forcing a maintenance, not warrantable, from the holy scripture, for a minister of the gospel*. 1713. Bound in *A Collection of the Works of Thomas Chalkley*, Philadelphia, 1749.
- Coe, George A., *Education in Religion and Morals*. Chicago, 1904.
- Collections of the Massachusetts Historical Society*. Series I, II, III. Boston, 1792-1849.
- Collections of the Massachusetts Historical Society*. Series VI, v. II. Boston, 1888.
- Comments on the Memorial from Williams College*. No title page.
- The Common School Controversy; consisting of three letters of the Secretary of the Board of Education, to which are added Extracts from the Daily Press*. Boston, 1844.
- The Congregational Yearbook, 1922*. Cooperstown, 1923.
- Constitution or Frame of Government, 1779-1780. Revised and Corrected*. Boston, 1780. Bound in *American Antiquarian Society Pamphlets*, v. 312.

- Cotton, John, *A Discourse about Civil Government in a Plantation, Whose Design is Religion*. Cambridge, 1663.
- Debates and Proceedings in the Massachusetts Legislature at the session begun Jan. 2, and prorogued on June 6, 1856. Reported for the Boston Daily Advertiser*. Boston, 1856.
- Discussions on The Constitution proposed to the People of Massachusetts, by the Convention of 1853*. Boston, 1854.
- Dwight, Timothy, *Boston at Beginning of the Nineteenth Century*. In *Old South Leaflets*, VI, Boston, 1903.
- Emerson, George B., *Observations on A Pamphlet entitled "Remarks on the Seventh Annual Report etc."*
- Exercises at the One Hundred and Twenty-Fifth Anniversary of Dummer Academy*, Salem, 1888.
- Hall, G. Stanley, *Life and Confessions of a Psychologist*. New York, 1923.
- Hall, G. Stanley, *Relation of the Church to Education*. In *Pedagogical Seminary*, June, 1908.
- Hood, William R., *The Bible in the Public Schools*. U. S. Bureau of Education Bulletin, 1923, No. 15.
- Humphrey, Heman, *Domestic Education*. Amherst, 1840.
- Humphrey, Heman, *Miscellaneous Discourses and Reviews*. Amherst, 1834.
- Humphrey, Heman, *A Sermon Delivered at the Dedication of the College Chapel, Feb. 28, 1827*. Amherst, 1827.
- Hutchinson's Collection of Original Papers*. Boston, 1769.
- Hutchinson, Thomas, *The History of Massachusetts, 1628-1750*. 3 v. 3d ed., Salem, 1795.
- Jenks, Henry F., *Catalogue of the Boston Public Latin School, With Historical Sketch and Appendix*. Boston, 1886.
- Journal of Debates and Proceedings in Convention of Delegates, chosen to revise the Constitution of Massachusetts, Nov. 15, 1820-Jan. 9, 1821. Reported for the Boston Daily Advertiser. New Edition Revised and Corrected*. Boston, 1853.
- Lechford, Thomas, *Plaine dealing: or, Newes from New England*. London, 1642. In *Collections of Massachusetts Historical Society*, Series III, v. III.
- Lectures Delivered before the American Institute of Instruction*, 1843. Boston, 1844.
- A Letter to a Gentleman in the Massachusetts General Assembly, concerning Taxes to support Religious Worship*. Printed 1771.

- By A Countryman. Bound in *American Antiquarian Society Pamphlets*, v. 312.
- Letter-Book of Samuel Sewall*, in *Collections of Massachusetts Historical Society*, Series VI, v. II.
- Locke, John, *Some Thoughts Concerning Education*. 13th ed., London, 1764.
- Lyon, Mary, *Mount Holyoke Female Seminary*. In *Old South Leaflets*, VI, No. 145. Boston, 1903.
- Mann, Horace, *Lectures on Education*. Boston, 1848.
- Mann, Horace, *Letter to the Rev. Matthew Hale Smith, in answer to his "Reply" or "Supplement."* Boston, 1847.
- Mann, Horace, *Life and Works*. 5 v., edited by Mary T. Mann, Boston, 1891.
- Mann, Horace, *Reply to the "Remarks" of Thirty-One Boston Schoolmasters on the Seventh Annual Report*. Boston, 1844.
- Mann, Horace, to Rev. Dr. Storrs of Braintree, Jan. 19, 1839. (Mans.)
- Mather, Cotton, Parentator. *Memoirs of Remarkables in the Life and Death of the Ever-Memorable Dr. Increase Mather*. Boston, 1724.
- Mather, Cotton, *Ratio Disciplinae, A faithful Account of the Discipline in the Churches of New England*. Boston, 1726.
- Mayo, A. D., *Governor Butler vs. The Common Schools of Massachusetts*. No title page.
- Memorial of the Trustees of Williams College, Dec. 24, 1823*.
- Neal, Daniel, *The history of New England containing an impartial account of the civil and ecclesiastical affairs of the country to 1700*. 2v., London, 1747.
- Old South Leaflet*. No. 209.
- The Packard Correspondence*. Manuscript copy in Massachusetts Historical Society Library.
- Peabody, Miss Elizabeth P., Peabody, Mrs. Palmer, and Mann, Mrs. Mary Peabody, *Female Education in Massachusetts*. July, 1884. Republished from Barnard's *American Journal of Education*.
- Petition of the Founders and Proprietors of Amherst Institution, presented June 5, 1823*. Boston, 1825.
- Price, Richard, *Observations on the Importance of the American Revolution*. London, 1784. Reprinted in Boston, 1784.
- The Prize Book of the Publick Latin School in Boston, 1823*. No. IV. Boston, 1823.

- Proceedings at the Ninth Annual Meeting of the Free Religious Association held in Boston, June 1 and 2, 1876.* Boston, 1876.
- The Public School Question, as understood by a Catholic American Citizen and by a Liberal American Citizen.* By Bishop McQuaid and Mr. Francis E. Abbot. No. 5 of *Free Religious Tracts* published by the Free Religious Association of Boston. Boston, 1876.
- Results of the Convention of Delegates at Ipswich.* Newburyport, 1778.
- Rejoinder to the "Reply" of the Hon. Horace Mann, to the "Remarks."* Contains also *Rejoinder to the Second Section of the "Reply"* by William A. Shepard; *Rejoinder to the Third Section of the "Reply"* by S. S. Greene; *Rejoinder to the Fourth Section of the "Reply"* by Joseph Hale. Boston, 1845.
- Remarks on the Seventh Annual Report of the Hon. Horace Mann, Secretary of the Massachusetts Board of Education. Prepared by a committee of the "Association of Masters of Boston Public Schools" and published by that body.* Boston, 1844.
- Ryan, James H., *A Protestant Experiment in Religious Education, in Catholic World.* June, 1922.
- Sequel to the So Called Correspondence between the Rev. M. H. Smith and Horace Mann.* Boston, 1847.
- Smith, Matthew Hale, *The Bible, the Rod, and Religion, in Common Schools.* Boston, 1847.
- Speeches of Mr. Hopkins of Northampton on the College of the Holy Cross. April 24th and 25th, 1849.* Northampton, 1849.
- Stearns, William A., *A Discourse on Educated Manhood, Preached to Students of Amherst College, Aug. 7, 1859.* Springfield, 1859.
- Stowe, Calvin E., *The Religious Element in Education. An Address delivered before the American Institute of Instruction, Portland, Me., Aug. 30, 1844.* Boston, 1844.
- Substance of a Discussion in the Senate, on the Report of a Committee in favor of incorporating Amherst College. Jan. 21, 1824.* American Statesman. Extra Sheet.
- Two Reports of the Faculty of Amherst College, to the Board of Trustees.* Amherst, 1827.
- Walsh, Louis S., *Religious Education in the Public Schools of Massachusetts, in American Catholic Quarterly Review.* Jan., 1904.
- Washburn, Alvan H., *An Address delivered at the Dedication of the Academy Hall, Leicester Academy, Oct. 26, 1853.* Boston, 1853.
- Week-Day Religious Education (Tract).* Boston, 1922.

- Why the Bible Should not be Read in the Public Schools.* Report of Committee on Church and State of the Central Conference of American Rabbis. New York, 1906.
- Winthrop, John, *A Journal of the Transactions and Occurrences, 1630-1644.* Hartford, 1790.
- Wright, Luther, *Education.* An Address delivered at Leicester Academy Dec. 25, 1833. Worcester, 1834.

Secondary Sources

- The Berkshire Book*, by its Historical and Scientific Society. I. Pittsfield, 1892.
- Bond, Henry, *Genealogies of the Families and Descendants of the Early Settlers of Watertown, to which is appended The Early History of the Town.* 2d ed., Boston, 1860.
- Bowker, R. R., *State Publications.* (A bibliography of state documents), New York, 1908.
- Buck, Edward, *Massachusetts Ecclesiastical Law.* Revised, Boston, 1865.
- Burnham, William H., *Horace Mann*, in *School and Society*, Sept., 1921.
- Burns, James A., *The Catholic School System in the United States.* New York, 1908.
- Bush, George G., *History of Higher Education in Massachusetts*, in *U. S. Bureau of Education Circular of Information*, No. 6, 1891.
- Clews, Elsie W., *Educational Legislation and Administration of the Colonial Governments.* New York, 1899.
- Contributions to the Ecclesiastical History of Essex County, Mass., Prepared under direction of Essex North Association.* Boston, 1865.
- Conway, Katherine E., and Cameron, Mabel Ward, *Charles Francis Donnelly, A Memior, with an account of the Hearing on a Bill for the Inspection of Private Schools in Massachusetts in 1888-1889.* New York, 1909.
- Cope, Henry F., *The Week-day Church-School.* New York, 1921.
- Crooker, Joseph H., *Religious Freedom in American Education.* Boston, 1903.
- Dana, Richard Henry, *Biography.* Edited by Charles Francis Adams. I, Boston, 1890.

- Dillaway, C. K., *A History of the Grammar School, or, "The Free Schoole of 1645 in Roxburie."* Roxbury, 1860.
- Dunning, Rev. Albert E., *Congregationalists in America.* Boston, 1894.
- Eggleston, Edward, *The Transit of Civilization from England to America in the Seventeenth Century.* New York, 1901.
- Ellis, George E., *The Aims and Purposes of the Founders of the Massachusetts Colony, in Lowell Institute Lectures.* Boston, 1869.
- Emerson, George B., *Education in Massachusetts, Early Legislation and History, in Lowell Institute Lectures.* Boston, 1869.
- Felt, Joseph B., *Annals of Salem.* Salem, 1827.
- Felt, Joseph B., *History of Ipswich, Essex, and Hamilton.* Cambridge, 1834.
- Fish, C. R., *The English Parish and Education at the Beginning of American Colonization, in School Review.* XXIII.
- Foote, Henry W., *Annals of King's Chapel, from the Puritan age of New England to the present day.* Boston, 1882.
- Frothingham, Richard, *The History of Charlestown.* Boston, 1845.
- Goodel, Abner C., *Notes on Quakers, in Transactions of the Colonial Society of Massachusetts.* I, 1895.
- Grizzell, Emit D., *Origin and Development of the High School in New England before 1865.* New York, 1922.
- Hall, A. J., *Religious Education in the Public Schools of the State and City of New York, a Historical Study.* Chicago, 1914.
- Hasse, Adelaide R., *Index of Economic Material in Documents of the States of the United States.* (Bibliography), Washington, 1908.
- Haynes, George H., *A Know Nothing Legislature, in Annual Report of the American Historical Association.* 1896, I.
- Hazen, Henry A., *History of Billerica, Massachusetts.* Boston, 1883.
- Holtz, Adrian A., *A Study of the Moral and Religious Elements in American Secondary Education up to 1800.* Menasha, Wis., 1917.
- Hudson, Alfred S., *History of Sudbury, Massachusetts.* Sudbury, 1889.
- Humphrey, Edward Frank, *Nationalism and Religion in America, 1774-1789.* Boston, 1924.
- Ide, George H., *The Congregational Churches and Christian Education.* Boston, 1887.

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- Jackson, George L., *The Development of School Support in Colonial Massachusetts*. New York, 1909.
- Jenks, Henry F., *The Boston Public Latin School*. 1635-1880. Cambridge, 1881.
- Johnson, Clifton, *Old Time Schools and School Books*. New York, 1904.
- Jones, Arthur J., *Early Schools of Worcester, Mass.*, in *Educational Administration and Supervision*. Oct., 1918.
- Littlefield, George E., *Early Schools and School-Books of New England*. Boston, 1904.
- Martin, George H., *Boston Schools One Hundred Years Ago*, in *New England Magazine*. XXVI.
- Martin, George H., *The Evolution of the Massachusetts Public School System*. New York, 1894.
- Mathieson, W. L., *Politics and Religion in Scotland, 1550-1695*. 2 v., Glasgow, 1902.
- Monroe, Paul, *A Brief Course in the History of Education*. New York, 1909.
- Nutting, Mary O., *Historical Sketch of Mt. Holyoke Seminary, by the Librarian*, 1876. Washington, 1876.
- Orcutt, William Dana, *Good Old Dorchester, 1630-1893*. Cambridge, 1893.
- Paige, Lucius R., *The History of Cambridge, 1630-1877*. Boston, 1877.
- Parish, Ariel, *History of Education and Educational Institutions in Western Massachusetts*. Springfield, 1855.
- Parker, Joel, *The First Charter and the Early Religious Legislation of Massachusetts*, in *Lowell Institute Lectures*. Boston, 1869.
- Parker, Samuel C., *A Textbook in the History of Modern Elementary Education*. Boston, 1912.
- Porter, Noah, *Educational Systems of the Puritans and Jesuits Compared; a Premium Essay*. New York, 1851.
- Quincy, Josiah, *The History of Harvard University*. 2 v., Cambridge, 1840.
- Reed, Susan M., *Church and State in Massachusetts, 1691-1740*. *University of Illinois, Studies in Social Sciences*. III, No. 4. 1914.
- Rice, William W., *The Centenary of Leicester Academy, Historical Address, Sept. 4, 1884*. Worcester, 1884.
- Schouler, James, *The Massachusetts Convention of 1853*. Re-

- printed from *Proceedings of the Massachusetts Historical Society*.
2d Series, XVII .
- Schwickerath, Robert, *Jesuit Education, its History and Principles*.
Freiburg, 1903.
- Slafter, Carlos, *The Schools and Teachers of Dedham*. Dedham
Historical Register, I, II, IV.
- Walker, Williston, *A History of the Congregational Churches in
the United States*. New York, 1894.
- Walsh, Louis S., *The Early Irish Catholic Schools of Lowell, Mass.*
Boston, 1901.
- Washburn, Emory, *Sketches of the Town of Leicester*. Worcester,
1826.
- Waters, Wilson, *History of Chelmsford, Mass.* Lowell, 1917.
- Watson, Foster, *English Grammar Schools to 1660: their Curricu-
lum and Practice*. Cambridge University, 1908.
- Wells, Guy F., *Parish Education in Colonial Virginia*. New York,
1923.
- Will, Allen Sinclair, *Life of Cardinal Gibbons*. 2 v., New York,
1923.

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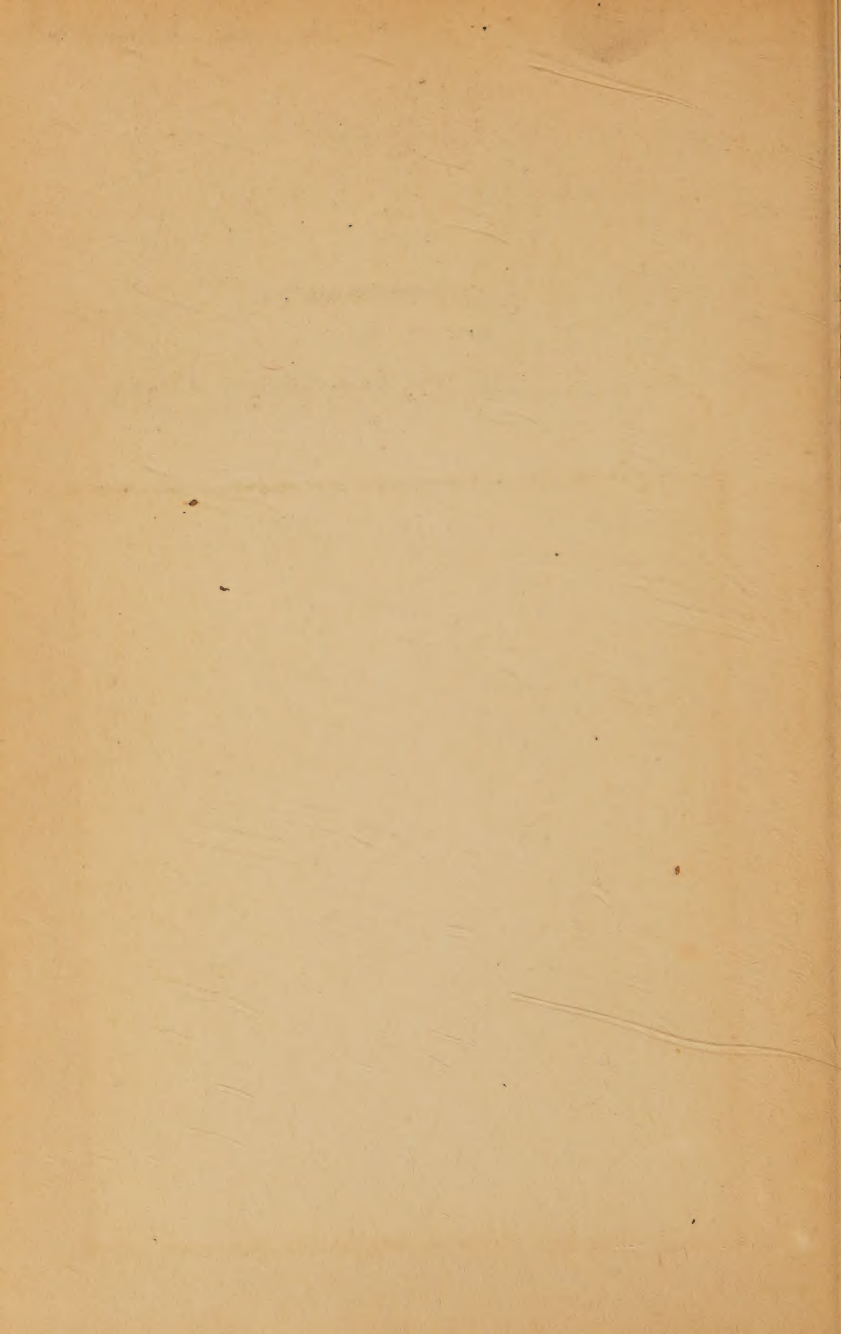
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